

The SPEAKER pro tempore. The gentleman from Alaska may state his parliamentary inquiry.

Mr. YOUNG of Alaska. Mr. Speaker, may I ask if the Chair designates the time that is split up, or do I have to ask for that?

The SPEAKER pro tempore. The Chair will entertain that request at this point.

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that, during the consideration of bill, H.R. 701, pursuant to House Resolution 497, the gentleman from California (Mr. POMBO) be allowed to control 20 minutes of my time for the general debate in the Committee of the Whole, with the understanding that I get the remaining part of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

CONSERVATION AND REINVESTMENT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 701.

□ 1645

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, with Mr. GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

The gentleman from Alaska (Mr. YOUNG) will control 25 minutes, the gentleman from California (Mr. POMBO) will control 20 minutes, and the gentleman from California (Mr. GEORGE MILLER) will control 45 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Conservation and Reinvestment Act of 2000 is an historic bill which comes to this floor today, as the result of the efforts of a number of my colleagues on the Committee on Resources. I want to thank the gen-

tleman from California (Mr. GEORGE MILLER), MY RANKING MEMBER, FOR HIS SUPPORT AND COOPERATION IN ACHIEVING A WORKABLE COMPROMISE BILL TO ACHIEVE THE GOALS THAT WE BOTH SHARE: CONSERVATION OF OUR WILDLIFE AND OUR RESOURCES FOR OUR CHILDREN AND THEIR CHILDREN. THE GENTLEMAN FROM CALIFORNIA (MR. GEORGE MILLER) and I have not often shared the same view on issues before our committee, but on this issue we stand together to make this investment in our Nation's future.

I especially want to thank the gentleman from Louisiana (Mr. TAUZIN) for his untiring work to keep the Members talking to each other and pushing forward to bring this bill to the floor today. The gentleman from Louisiana (Mr. TAUZIN) has passionately spoken on behalf of his State and district to share his concern that our Nation recognize the contribution made by coastal Louisiana to our national energy security and to the extraordinary economic growth and prosperity that we enjoy today.

I also want to thank the gentleman from Louisiana (Mr. JOHN), our newer Member, for his work to achieve a bipartisan effort on behalf of his constituency in Louisiana. Every meeting we had with the gentleman from California (Mr. GEORGE MILLER) and all the other Members, the gentleman from Louisiana (Mr. JOHN) was there. He was there constantly with cooperation and sound advice.

I, again, want to thank the gentleman from Michigan (Mr. DINGELL), my old friend and dear colleague. There have been many battles over many, many years. Without his wise guidance and strong leadership, this bill would not have happened. There is no other Member of the House who, over the many years, demonstrated as much dedication and commitment to conservation as the gentleman from Michigan (JOHN DINGELL). He will leave a lasting legacy to our Nation of support for wildlife opportunities and recreation.

I would like to thank the gentleman from California (Mr. POMBO). Although the gentleman from California (Mr. POMBO) may not support our bill today, he nevertheless has been helpful to maintain a thoughtful and courteous dialogue among those of us who wish to achieve our goals in a different manner. He also attended all the conferences we had together and contributed to each one.

He has been a valiant and constant supporter of the rights of private property owners, and I appreciate the zeal and determination he brings to that role. He and I share the same goals when it comes to protecting the rights of our property owners. They are America's foundation. I happen to agree with the gentleman from California (Mr. POMBO) that our Federal Government needs to do more to show them the respect they deserve, and I believe that CARA moves in that direc-

tion. I believe CARA actually addresses the property rights problems and also addresses the purchase of lands.

I believe that CARA achieves both conservation of our resources and, remember, I keep insisting on conservation, the word "conservation," not "preservation," and insures the protection of the rights of our private property owners. I would not support a bill that did not protect the rights of private property owners.

Now, what does CARA achieve? First, it provides the stable and lasting source of funding to achieve the conservation of our natural resources. Our coastal States are our first line of defense in protecting our environment.

They are impacted by many important economic activities in our coastal waters that benefit all of us, including the production of oil and gas for our energy and security. There are many other impacts as well, including shipping, fisheries, and recreation. They are on the receiving end of much of our polluted waters flowing from inland States. They have to deal with these problems and deserve our support.

As our American population grows and our economy improves, we have greater needs for recreational opportunities and for opportunities to enjoy the beauty of our country. This bill provides funds for Federal land acquisition, yes, but, quite frankly, ensures a greater role for Congress in that process and provides greater protections for property rights.

In the future, Congress can ensure that our Federal policies are fairer and provide more opportunities for those areas of the country which need and want additional Federal land acquisition.

As a Republican, I believe the States should have a greater say in providing recreational and conservation opportunities for our citizens. This bill sends back to our States funds for ensuring that the States can provide these opportunities. We should get our government back as close as possible to the people so that they have a direct voice in how these types of decisions are made. Let local folks decide what to do with these conservation dollars, not inside-the-Beltway bureaucrats in Washington, D.C.

This bill provides direct funding for wildlife conservation. It ensures that the funds are spent on projects that directly benefit wildlife. I, for one, am concerned that too much of our wildlife conservation dollars get spent on administration, bureaucracy, and not directly on wildlife, and this bill will ensure that the money be spent on wildlife.

CARA will greatly increase funds for urban parks and recreation. At a time when crime and education are the top concerns for urban areas, this bill can help fight crime and keep our kids in school by providing more supervised recreation for urban kids.

Increasingly as our economy grows, we are losing our history. It is important to remember and honor our past.

If we do not know our past, we will never know our future. We must provide funds to preserve and protect our historic places, while protecting the rights of property owners. We ought to have the funds to reward those who help use their property to help us keep our links to our history. CARA will accomplish that goal.

Protecting open space and protecting endangered species are goals that many Americans feel are extremely important. I have been a leader in bringing about common sense and balanced solutions to these problems.

Again, we cannot accomplish these goals unless we work cooperatively with private landowners who are affected by these laws. Without these funds which CARA provides, these landowners are being asked to bear those costs alone. This is unfair, and I believe it will ultimately cause the laws to fail. CARA allows us to reward landowners who want to hang on to their family farms and protect endangered species.

Again, CARA is not a regulatory approach to any of these problems. It does not force anyone to do anything. In fact, we have increased protections for private property owners and provide voluntary incentives to help landowners facing some very difficult issues.

CARA will not harm our economy or our Federal budgetary process. It is a good and well-thought-out bill that will bring about some very reasonable process reforms while providing a steady and reliable source of funding so that we can insure that our responsibility to provide for our future generations.

May I suggest CARA will be the future legacy for the future generations of this great Nation. We will have the opportunity of our young people and those that are here today to enjoy the open spaces, and private property owners will have their land, and our fish and wildlife will be available for those that we leave behind.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. JOHN).

(Mr. JOHN asked and was given permission to revise and extend his remarks.)

Mr. JOHN. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Before I start, I must say that I give much credit that is due to many Members that were involved in this negotiation. It has been 2 years since we first met and came up with the idea of trying to move a piece of legislation of this magnitude through the Congress.

I give the gentleman from California (Mr. GEORGE MILLER), my friend and ranking member of the Committee on Resources, mountains of credit by keeping us together; of course the gentleman from Alaska (Mr. YOUNG), my

friend, the chairman of our Committee on Resources, for never letting the fire out in times that were very, very difficult through negotiations on a bill of this magnitude; also the gentleman from Louisiana (Mr. TAUZIN) that represents the other half of the State of Louisiana's coastline; and also the gentleman from Michigan (Mr. DINGELL). These were the primary people that sat in a room over 2 years ago that decided that it was important for us to preserve what we have enjoyed in our days.

I rise today, and I am very proud and excited about where we are going to go in the next 6 or 7 hours. I want to commend the gentleman from California (Mr. DREIER) and the Committee on Rules for making a fair rule, a rule that has made in order 27 amendments. Most of these amendments were hammered out in the Member-only meetings. We deal in Congress a lot with staff members, and we do not get involved on a hands-on basis as we should sometimes.

This bill, I counted every meeting, we spent 40 hours, over 40 hours of Member-only meetings trying to hammer out a compromise because this bill was so important, not only to just the people up here in Washington, but to all of the people of the United States.

I can speak from personal experience. My district is bordered by Texas on the west, the Atchafalaya Basin on the east, the red clay hills and piney woods of Louisiana on the north, and to the south, the ever-changing 250 miles of coastline in southwest Louisiana.

There is not a week that goes by that I do not wake up and I do not have a publication, as Louisiana Life, where the headlines says "The Coast Is Near." My colleagues can imagine what that article is about. Or seeing maps that are, frankly, full of red of where our coastline is going.

We lose 25 square miles of Louisiana's coastline a year, 25 square miles, a football field a day. Looking at some of the amendments, there are some that say, let us wait 5 years before we implement this. I may not have a district in 5 years at the rate of the eroding coastline of Louisiana. So I suggest to my colleagues that now is the time that we do something.

What does CARA do? It does what we do in Congress every day of the week. It puts money in priority programs that we want to see happen. Not only does it fund fully for the first time and keep our promise, as the gentleman from California (Mr. GEORGE MILLER) said with the authorized \$900 million of the Land Water Conservation Fund, we are going to fund that, \$1 billion for coastal restoration.

I talked a little bit about Louisiana's coastline. But this bill is so much larger and bigger than just Louisiana. We have 35 States around the United States with coastlines with the same type of problem that we have. I think it is important that we prioritize some of these dollars.

It has been a very, very bumpy road. There have been lots of differing opinions, ideologies, policies, but we have persevered because of the importance of this piece of legislation.

So I look forward to the next several hours as we debate the merits of not only this bill, but of some ideology debates, some real serious issues that we will debate in here. But when it is all said and done, we have 316 people that have signed off on this bill.

I would urge everyone to support this piece of legislation because I can think of no better legacy to leave, not only my twin sons, but also the future generations of this whole country, the outdoors that I have enjoyed living in south Louisiana, fishing in the estuaries that are so rich and plentiful with fish and ducks and shrimp and crawfish, but also the open spaces, the urban sprawl, making sure that we have those kinds of green spaces, because I have seen polls every day that say people want to be able to have that soccer field or that opportunity.

□ 1700

Mr. Chairman, we had Terrell Davis, the MVP of the Super Bowl from the Denver Broncos, come here and testify on this bill and say that he would not have been the MVP if it would not have been for the football program in San Diego, California. Those are the kind of stories I want my kids and grandkids to be talking about.

I look forward to the next few hours. And, again, I thank the chairman of the committee, the gentleman from Alaska (Mr. YOUNG) and also the gentleman from California (Mr. GEORGE MILLER) for keeping the fire going in times that were very, very difficult.

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume.

First off, I would like to thank the chairman and the ranking member. This has been a very long process to get to this point, and a very contentious process in trying to work out differences that existed with my point of view and the point of view of the gentleman from California (Mr. GEORGE MILLER), but we were able to work out a lot of differences.

I can tell my colleagues there are a lot of good parts to this bill. There are a lot of things that I got included in the bill that they accepted, that we worked out, and there are, quite frankly, some things in this bill that I think fix things that are wrong with current law. But before the rhetoric I think gets too hot on the legislation, I will have to also say that I do not believe that there is anything in this legislation that directly takes away people's property rights. I do not believe that the chairman of the committee would do that. I do not believe that it is in this legislation.

But I can say this. I oppose this legislation because the system that we are force-feeding this money into is broken. It is severely broken. We have a system of land management in this

country that is, at best, wasteful; at worst, fraudulent, and that does systematically take away people's private property rights. We have passed legislation within this Congress, whether it be the Clean Water Act, the Endangered Species Act, things that were done with good intention and that had the full support of this Congress, but through court decisions and bureaucratic decisions that were made, they have systematically taken away people's private property rights. Because of that, I believe that the current system is broken.

We need to fix the current system. We need to step in and doing the tough work and fix the Clean Water Act, fix the Clean Air Act, fix the Endangered Species Act. But we have been unable to do that. For that reason I believe, at best, this legislation is premature because the system needs to be fixed before we begin to buy more land, before we begin to put more money into it.

Now, we hear a lot of people that will come to the floor and talk about all the great things that are going to be done with this money. One of those is to increase the amount of land that people are going to have access to. And we will hear all the great flowery things about our national park system, the BLM, the Forest Service, and that is fine, but the truth of the matter is, under the current system, we are limiting people's access to that. We are continually limiting access into our public lands so that people do not have access to them. That has to be fixed before we go buy more land. This bill does not allow for that.

I will have to tell my colleagues that I will oppose this bill because the system is broken, because I do not believe that the Federal Government should have more land. I do not believe that we should be putting more money into a system to give the Federal Government more land when they already own a third of this country.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, on November 10 the House Committee on Resources, under the leadership of our good chairman, the gentleman from Alaska (Mr. YOUNG), approved the most important conservation legislation, I believe, in over a decade. I was proud to be a part of the 37 votes in support of this bipartisan, common sense, mainstream, well-negotiated legislation. And it was primarily because of the efforts of the chairman, the gentleman from Alaska (Mr. YOUNG), and the ranking member, the gentleman from California (Mr. GEORGE MILLER), that we were able to get to this bipartisan position, which makes all the sense in the world to any mainstream Member of either party.

CARA represents an historic opportunity for Congress to provide con-

sistent and dedicated funding to States to conserve fish and wildlife, protect and restore coastal habitats and marine resources, and to meet the ever-increasing public need for outdoor recreational opportunities.

CARA will provide \$2.8 billion in permanent budget authority from the outer continental shelf oil and gas reserves for the protection and restoration of impacted coastal habitats, which is very important to constituents and residents in coastal areas. Coastal areas, I might add, like the most densely populated State in the country, where I happen to live, New Jersey.

Second, fish and wildlife habitat conservation is an important objective. Third, the improvement of outdoor recreational opportunities, which is quickly becoming the most popular way Americans spend their leisure time will be fostered. And, four, urban park renewal and historic preservation will be enhanced.

New Jersey continues to lose more open space to development and is now the most densely populated State in the Nation, as I said a minute ago. Funding under CARA would enable State and local governments to continue their efforts to preserve open space and conservation of natural resources while creating and restoring habitat for the diversity of species in New Jersey's wildlife management areas and wildlife management areas all across the country.

Open spaces, conservation, wildlife enhancement are key words in describing this mainstream legislation. I urge my colleagues to support the chairman and vote for this landmark legislation that will be an investment and endorsement to protect our natural resources for future generations to inherit.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the Conservation and Reinvestment Act offered by the chairman of the committee, the gentleman from Alaska (Mr. YOUNG), and the ranking member, the gentleman from California (Mr. GEORGE MILLER). I salute these two gentlemen as well as all the Members who have worked so hard to see this bill progress this far.

As the only Member of the New York State delegation to be a member of the Committee on Resources, I was pleased to support this legislation, both in committee and here today on the floor of the House. There are so many great projects in this legislation, but I would like to specifically point out one in particular, that of urban parks.

If this legislation is signed into law in the form we have it today, my home State will receive \$11 million a year for the urban parks and recreation recovery program, which will allow New York to purchase and restore recreation areas and facilities throughout

the State. This money will go a long way towards improving the quality of life for the residents of my Congressional District, the 7th Congressional District in Queens and the Bronx, and millions of other urban residents as well. These funds are badly needed.

A report by a nonprofit organization in New York City released last year showed that the City of New York has a growing reliance on private philanthropy to fund urban parks. While I will always welcome community involvement in private philanthropy, the report went on to state that these private dollars overwhelmingly flow into those parks which are situated in wealthy neighborhoods, like Central Park and Madison Square Park in Manhattan. Urban green spaces in middle class neighborhoods like mine, like in the areas of Queens and the Bronx, that I represent, are simply ignored.

There is very little public assistance to remediate or create new open spaces in these neighborhoods, and there is little private sector dollars flowing into those communities. CARA will address this troubling situation. There is no reason that hard-working Americans should be deprived of open green fields, deprived of places for their children to engage in after-school sports, or be deprived of safe shaded places to stroll. In my opinion, every American community should have its own version of Central Park.

That is why I am a strong supporter of this legislation, and, again, I want to thank the chairman, the gentleman from Alaska, and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for all their hard work, and every Member who worked hard in seeing that this bill came before the House today.

Mr. POMBO. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, I rise in strong opposition to CARA. Its goals are worthy, conservation, farmland protection, the recovery and preservation of endangered species, et cetera, but I simply ask my colleagues to consider this question: At what cost are we willing to achieve the goals of this legislation?

This measure makes CARA spending mandatory on budget, which means it is the first money spent and competes and has preference over veterans benefits, education, defense, and medical research at NIH, including research for cancer and other illnesses.

When we increase government holdings of land, it comes at the dual expense of private property owners. For the owner of the land taken, there is the ugly condemnation issue. And for all other landowners, they will pay higher taxes on their lands to compensate for lands taken off their tax rolls. The Federal Government already owns one-third of all the land in the U.S. When the government controls the land, government makes the decision for the use or nonuse of that land.

CARA expands the power of the Federal Government to acquire even more land.

This bill increases Federal control. I hope that all of the localities and States that have interest in this big pot of money that CARA promises will take time to consider the ramifications of this bill. The same goes for anyone who believes that zoning and planning matters should be strictly a local concern. CARA leaves important decisions about land use to be determined by the Secretary of the Interior. Under present law, if Federal money is used to purchase or improve lands under LWCF or UPARR, the Secretary of Interior has great authority to approve or disapprove of any proposed modified or alternative use of the property.

However, under CARA, the State and local governments cede even more power to the Federal Government, because CARA increases the role of the Secretary in this decision and raises even higher the standard to change any use required by the State or local government to demonstrate that no "prudent or feasible alternative" to the proposed use change exists.

This enhanced power under CARA, coupled with the powerful club of over \$1 billion per year, will lead to the centralization of State and local planning and zoning decisions in the hands of the Secretary of the Interior, who will be a de facto national planning and zoning czar to the deprivation of State and local governmental units.

To my colleagues who are concerned about such things as abuse, fraud, favoritism, and campaign finance reform, they should be very concerned about putting that much power into the office of the executive branch. Once power is given away, it is very hard to get back. That applies to all government institutions at every level, Congress, States and local governments.

To my Republican colleagues who ran for Congress with a value to rein in the power of the Federal Government, who vowed to return decision-making to the local governments, who say they want less bureaucracy, then they should vote against CARA. It brings increased government power at the Federal level because it increases the power of Federal holdings.

Mr. Chairman, almost six years ago, "the Era of Big Government" ended—or so it was claimed. With the Republican landslide elections in 1994, we came into the Nation's Capital with the desire to limit government spending wherever possible and to scale back the intrusiveness of the federal bureaucracy. These are laudable goals. These are honorable goals. These are worthy goals. They were worthy then, and they are still worthy today.

These are the reasons, therefore, Mr. Chairman, that I must rise in opposition to the Conservation and Reinvestment Act—H.R. 701. The goals of this Act are worthy—conservation, farmland protection, the recovery and preservation of endangered species, and maintenance, among other things. I do not question that the authors of this measure have

noble intentions to protect our environment. But, I simply ask my colleagues to consider the question, "At what cost are we willing to achieve the goals of this measure?"

THE EXPENSE OF CARA

This measure makes CARA spending "mandatory" on budget, which means it is the "first money" spent and completes and has preference over veterans benefits, education, defense and medical research at NIH, including research for cancer and other illnesses.

CONGRESS GIVES MORE POWER TO BUREAUCRATS UNDER CARA

To those concerned about increasing the size of the government, this bill increases the size and power of all governments—federal, state and local. This bill without a doubt provide the tools to increase land holdings at every level of government. When we increase government holdings of land, it comes at the dual expense of private property owners: for the owner of the land taken, there is the ugly condemnation issue, and for all other landowners, they will pay higher taxes on their lands to compensate for lands taken off the tax rolls.

Intrusive government is a big concern, especially absent a mechanism to check its action. Sure, we in Congress can hold oversight hearings. But why under this bill do we provide for state and local government to lose control over their planning and zoning?

The federal government already owns one-third of all the land in the United States, the equivalent of all U.S. land east of the Mississippi River. In Congress, we are constantly battling those interests who do not want mining or logging of public lands, motorized recreation in national parks or even hunting or fishing on public lands. These are all taxpayers who want access to our public lands. These are the elderly who cannot get around as they once could, but who still want to enjoy the outdoors. The point here is that when government controls the land, government makes the decisions for the use—or non-use—of that land, CARA expands the power of the federal government to acquire even more land.

CARA USURPS STATE AND LOCAL CONTROL OVER ZONING

This bill increases federal control—plain and simple. I hope that all of the localities and states that have interests in this big pot of money that CARA promises take time to consider the ramifications of this bill. The same goes for anyone who believes that zoning matters should be strictly a local concern. CARA leaves important decisions about land use to be determined by the Secretary of the Interior.

Under present law, if federal money is used to purchase or improve land under the Land and Water Conservation Fund, LWCF (Title II of CARA) or the Urban Park and Recreation Recovery Act (Title IV of CARA), the Secretary of Interior has great authority to approve or disapprove of any proposed modified or alternative use of the property. However, under CARA, the state and local governments cede even more power to the federal government because CARA increases the role of the Secretary of the Interior in this decision and raises even higher the standard to change use by requiring the state or local government to demonstrate that no "prudent or feasible alternative" to the proposed use change exists.

Thus, this enhanced power (or even the existing power of the Secretary of Interior) under

CARA, coupled with the doling out of over one billion dollars per year under LCWF or UPRRA, will lead to the centralization of state and local planning and zoning decisions in the hands of the Secretary of Interior, who will be the Land and Zoning Czar, to the deprivation of state and local zoning and planning boards.

To my colleagues who are concerned about such things as abuse, fraud, favoritism, and Campaign Finance Reform—you should be very concerned about putting that much power into one office in the executive branch. I am not suggesting that all Interior secretaries will take such control and abuse it. What I am saying is that we should be very cautious about putting into one office this kind of unchecked power. Once it is given away, it is very hard to get back. That applies to all government institutions at every level—the Congress, the state governors, the local mayors and town managers—anyone who could be affected by lands bought with any portion of the state LWCF and UPARR. We should all be concerned.

To my Republican colleagues who ran for Congress with a vow to rein-in the federal government, who vowed to return decision-making to the states and localities, who say they want less bureaucracy, consider what CARA brings. It brings increased government power at the federal level, it will increase the size of government land holdings and it will centralize decision making power with the federal government.

To those interesting in curbing the powers of the federal government, to those who want to prioritize spending choices and be fiscally responsible, I implore you: vote against CARA.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 8 minutes to the gentleman from Louisiana (Mr. TAUZIN), one of the instigators of this great piece of legislation, and I am proud to say one that will support and actively chair this meeting tomorrow for a short period of time.

(Mr. TAUZIN asked and was given permission to revise and extend his remarks.)

Mr. TAUZIN. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me first acknowledge, as so many of my colleagues have already, the extraordinary process that brought the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) together on this historic piece of legislation.

□ 1715

There are many things that happen in this House to prevent things from happening. There are many ways to stop good legislation from happening. There are many ways in which we, unfortunately, block each other in our attempts to do what we think is right for this country.

Rarely do we see people with so diverse views come together so mightily as this group has come behind this CARA bill to present this Nation with this historic opportunity.

In short, it is as though the stars have aligned to make this happen this year. And the stars are numerous. They include, of course, my good friend the

gentleman from Michigan (Mr. DINGELL), who has been such a vibrant part of these negotiations, and my good friend the gentleman from Louisiana (Mr. JOHN). He has acknowledged me. Let me acknowledge him for the incredible work that he has done in these negotiations.

But let me also acknowledge my friend the gentleman from California (Mr. POMBO), because he and I sat side by side trying to make a case throughout this bill of balance, to make sure that as the bill was creating new environmental initiatives to protect and enhance wildlife and land management areas in the country, that we simultaneously included in the bill new protections for property owners.

I think it is important to answer a few questions about this bill that I have been asked on this floor and throughout the last few days with reference to how this bill came to be.

It is, first of all, important to know that this bill is divided into several titles. The first title has to do with coastal impact revenue sharing. I was asked by a number of Members why is it in there, what is that all about?

Well, for many, many years the interior States of our country have enjoyed the protection of a Federal law that says for all Federal production of minerals on Federal lands within that State, the State gets 50 percent of the revenues. That is a pretty good chunk of change for many States.

In fact, just to give my colleagues some numbers on it, in the past years of production since this law has been in effect, the State of Wyoming has collected \$7.4 billion of income from Federal lands' production of minerals located in that State. The State of New Mexico has collected \$5.3 billion from income produced from royalties from oil and gas and mineral production on Federal lands in the State.

The one problem has always been that Federal offshore lands, the lands located right offshore of the coastal States, were not covered by that law.

Now, we might have had a chance to get it covered back in the Truman administration. There was an offer by the Truman administration to do just that but, unfortunately, it was not accepted.

But the bottom line is that, over all the years of offshore mineral production, the coastal States, which bear a rather significant burden in the production of those resources, have never shared in the revenues that are derived.

Just to give my colleagues an idea what happened since then, this Government, our taxpaying public, has benefitted from the benefits of oil and gas production offshore to the tune of \$122 billion, 80 percent of which was derived off my own State of Louisiana, right off of the coastal district of the gentleman from Louisiana (Mr. JOHN) and myself, 80 percent of which was derived off that coastal area, which simultaneously produces nearly a third of America's seafood.

The bounty of this Nation's catch in fish and crab and shrimp come, basically, from our coastal areas; and our two districts produce nearly a third of this country's bounty.

At the same time that that occurs, we have opened up the gate of our coastal areas to offshore production; and the Government and the people of our country have benefitted to the tune of \$122 billion. We receive no share, no compensation, for what occurs on our coastline.

The gentleman from Louisiana (Mr. JOHN) told us the story, but let me repeat it. If a colleague was losing 25 square miles, some States are losing 35 square miles, of their district along their coastline every day, I suspect the National Guard would have been alerted, we would have had a national emergency declared. Yet, it happens every day in coastal Louisiana.

Immeasurably to the human eye, the land is washing away, it is eroding to all the pipeline canals and all the salt water intrusion that is occurring along our coast. We are literally losing this incredible national resource, with no money to deal with it.

Title I gives coastal States a chance to deal with it. There is only going to be one amendment to Title I. It is going to be an amendment to give Louisiana a bigger share, and I am going to vote against it. It is going to be an amendment to say only the States with coastal production ought to share in that.

I am going to vote against it, because the formula in title I did not come from Louisiana. It did not come from the Congress. It came from a study done by Mineral Management. It is designed to make sure that every coastal State with similar problems gets help in dealing with their problems. And we are prepared to join in that formula.

Secondly, I have been asked, well, what about the fact that this bill creates an entitlement, that it puts the money ahead of the programs we heard mentioned before?

Let me tell my colleagues, if they have not noticed it, we created two mandated funding programs just recently, one for highways and one for airports. This bill provides a mandated program for land and water conservation.

When a poll was done in America to put those three programs side by side, do my colleagues know which one won out handily? As popular as airports are, as popular as highways are, land and water conservation came out way on top, 45 to 35 to 7. Forty-five percent of Americans said that is where we ought to be working hard, to recover and restore America's land and water resources.

Finally, I have been asked by many people, "BILLY TAUZIN, you were the author of the first private property bill of rights in this Congress. Why on earth are you supporting this bill when these private property rights organizations are against it in America?"

I will tell my colleagues why they are against it. It is not because this bill diminishes property rights. It enhances property rights. They are against it for the reason my friend the gentleman from California (Mr. POMBO) talked about, the fact that in many States of our country the Federal Government owns 70, 80, 90 percent of the land mass and they do not want the Government buying any more land.

I understand that. I am very much in sympathy with States that are put in that position. But we are going to acquire land with or without these protections.

This Government in Washington has been appropriating money to purchase more lands every year, many years in excess of what is provided in this bill. But this bill balances it off and says we are going to put in some private property protections, we are going to make sure nobody's land is taken anymore who does not want to sell unless Congress specifically authorizes the acquisition of a single piece of land.

We are going to provide additional improvements in the cause of property rights protection to make sure that notices go out to people when land is going to be acquired on the local level, local officials, local politicians, Congressmen, all of us know; and we are going to provide protections to make sure that no regulations apply to property that is not yet titled to the Government.

There are some beautiful new programs in here to consolidate the patchwork of Government holdings out West and to incentivize land swaps and for the Government to sell off land it does not work before it buys more land. There is an awful lot of good stuff in here.

The improvements in private property rights in this bill are one in balance to the dedication of money to land and water conservation. This is the kind of balance that works.

If I were to offer the bill with all the property rights improvements that are in this bill as a stand-alone bill, I doubt if we could get it anywhere in this House.

In balance with the environmental protections, the historic preservation, parks and recreation, land and water conservation, we have won a delicately achieved balance.

I urge my colleagues, in the context of the amendments that are going to come forward in the next several days, to remember that historic balance. This is a great bill. It is great for America. And it is time it happens.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in support of CARA. I so appreciate the hard work of the gentleman from Alaska (Chairman YOUNG) and the gentleman from California (Mr. GEORGE MILLER), the ranking member, that they put into this bill.

Mr. Chairman, I was proud to be an early cosponsor of their effort, because I knew if they could get together, it had to be a good bill. And it is.

For my constituents in Marin and Sonoma Counties, CARA will be one of the most significant environmental bills this Congress will consider. It provides for full and dedicated funding of the Land and Water Conservation Fund. It gives States and local conservation and environmental entities a reliable partner to preserve and restore coastal and marine habitat and to save our wildlife.

Particularly important to my district, however, and to my constituents is CARA's priority to preserve and acquire open space and to protect farmland.

For example, in my district, which is just north of the Golden Gate Bridge, very close to a very, very concentrated urban area, CARA has a funding mechanism for the purchase of conservation easements on farmlands, farmlands that are currently under threat from development because of their location so close to the Bay Area.

While CARA will not supply all the money needed to preserve the threatened lands across our country, I am truly encouraged by this good start and look forward to building on this principle.

I urge all of my colleagues to support H.R. 701 and know that it is a carefully crafted piece of legislation by the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) that, and I will say it again, if they agree, it has to be good.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Chairman, unfortunately and regrettably, with great respect to the chairman of the committee and all due respect for my friend the gentleman from Alaska (Mr. YOUNG), I have to rise in opposition to H.R. 701.

Since this bill was introduced, I have been approached by a large number, literally hundreds, of my constituents expressing their opposition to this legislation, and their concerns are important to me.

While I understand the important goals of this bill and I applaud the chairman for his protection of wildlife and his great conservation efforts, I would like to offer him that unique perspective that my friend the gentleman from Louisiana (Mr. TAUZIN) talked about, the perspective of the State of Nevada, many of my colleagues who on the East Coast do not understand.

Nevada is a State which is already nearly 90 percent owned by the Federal Government. That is 90 percent. Many of our counties are in very dire financial situations because the principal revenue they generate to pay for the

services that they are required to provide by law, such as police and fire protection, schools, education, health care, roads, water and sewer infrastructure, are generated by private property taxes.

One county, just one county, Lincoln County in Nevada, a county of 10,000 square miles, larger than many of the northeastern States combined, is 98.5 percent owned by the Federal Government, leaving only a small part for the tax base of 1½ percent to provide that critical and important infrastructure.

Lincoln County generates only \$1 million per year to pay for its mandatory infrastructure and services, and I still wonder how they continue to survive today even though they are on the verge of going bankrupt.

Therefore, any monies that are added to the Land and Water Conservation Fund that do not adequately protect private property rights is literally a death sentence for these poor counties in the State of Nevada. When they purchase environmentally sensitive land, they purchase private property that is used for this tax base.

I cannot in good conscience, without necessary private property protection, even entertain the idea of spending almost a billion dollars a year.

I urge my colleagues to oppose this piece of legislation.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST), my good friend.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding. I also thank the chairman and the ranking member of the Committee on Resources for pulling together all the people that were necessary to craft this legislation so carefully and in such a way that it balances the conservation of our resources and, I might add, the strong constitutional provisions of property rights.

Mr. Chairman, I would just like to make a couple of points. I hope my colleagues here in Washington are listening to this debate. This is the kind of debate that brings out good information, is bipartisan, is something that the American public can feel good about; and, in the end, everybody will benefit.

This is a great Nation. We have been a great Nation for over 200 years. The Nation was built as a result of democracy, character, and endless frontier that provided expanse to move in, and an abundance of natural resources. But over 200 years after the founding of this country, our resources are diminishing as the population increases. Our frontier is virtually gone, if not entirely gone.

All we have left is democracy and character to pull together our intellectual capacity to understand the nature of how we now manage those limited resources for unseen future generations to come.

This is a big step in understanding how to manage those limited resources,

how to manage our forests, how to manage our prairies, how to manage our agriculture, how to manage our fisheries, how to manage the water hydrologic cycle which provides us with sustenance.

□ 1730

This bill will bring together the Nation's intellectual capacity to fund the money that is necessary to sustain the resources. And I urge my colleagues to vote for the bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today in support of H.R. 701, the Conservation and Reinvestment Act. I am proud to have been one of the 30 original cosponsors of this bill which now has over 300 cosponsors. Throughout my time in Congress, I have always tried to be a strong supporter of conservation efforts. This has included authoring several conservation laws to protect Michigan wilderness, wild and scenic rivers and creation of the Grand Island Recreation Area. Passage of CARA will ensure that these types of important conservation actions will continue to be funded appropriately.

I am pleased that CARA includes funding for urban parklands as well. It is easy to forget that many urban dwellers do not have the means to travel to green spaces, city parks are their only opportunity for recreation and enjoyment of the outdoors.

For too long, we have neglected the opportunity to ensure grant funding for worthy open spaces in cities. CARA responds to this need. I want to thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) for their efforts in making Native American tribes and Alaska Native corporations eligible to receive funding under certain titles of this bills. For example, Title II dealing with Land and Water Conservation Fund revitalization would make all Federally recognized tribes and Alaska Native corporations eligible to receive funds under competitive grant basis.

Title VI on Federal and Indian lands restoration would make 10 percent of the Conservation and Reinvestment Act Fund transferred to the Secretary of Interior available to Indian tribes on a competitive basis.

Mr. Chairman, I am pleased that Title III, which deals with wildlife conservation and restoration, encourages the State fish and wildlife agencies to work with Alaska Native corporations and Indian tribes. However, I hope that as we go to conference, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) will continue to work with me in that conference to strengthen this language to allow Indian tribes and

Alaska Native corporations to share in the new subaccount created in Title III. They have been very cooperative, and I really appreciate their close cooperation.

Once again, I want to thank my colleagues for all of their hard work, and I think we have a wonderful bill before us.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I think the decision we have today is whether we want to put the government on automatic pilot. Are we going to have more entitlement programs? When do we stop? That is what really is at issue here.

We give this money to the States, about \$2.4 billion. There are no restrictions. My colleagues keep talking about how we are going to save resources; the resource may be a swimming pool or a tennis court. There is no guarantee as to how it will be used. We, in our positions of responsibility, make those decisions. We are going to abdicate that responsibility to the others for \$2.4 billion worth of funding, in the face of \$15 billion, plus or minus, of backlog maintenance, in the face of the fact that we already give the States \$1.7 billion out of the Federal resources that are generated from leases on public lands, some that comes already from drilling, in the face of the fact that every state in the Nation has a balanced budget.

Mr. Chairman, ladies and gentlemen of the House, I think that we have a responsibility to set the priorities for this government, for the people of this Nation, to take care of the 379 parks that are in the portfolio, to take care of the millions of acres of national forests, of the many U.S. Fish and Wildlife Service facilities, and the lands that are under our jurisdiction, as well as the responsibility to the Indian tribes, the responsibility for the cultural institutions in this city, the Smithsonian, the Kennedy Center, the National Gallery of Art, and the Holocaust Museum. They all, too, have great needs.

The States should take their responsibility. We should take ours. I think to create a new entitlement could just be the beginning of many more of these. This bill is certainly a case of abdicating responsibility that we are elected to make, in terms of priority decisions and the allocation of this Nation's resources.

Mr. YOUNG of Alaska. Mr. Chairman, how much time is remaining on each side?

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentleman from Alaska (Mr. YOUNG) has 5½ minutes remaining; the gentleman from California (Mr. GEORGE MILLER) has 32½ minutes

remaining; the gentleman from California (Mr. POMBO) has 9½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, CARA is landmark legislation, moderate legislation, sensible legislation that responds to a clear and growing public demand; namely, that we do more to conserve open space and protect our ecological resources. That public demand is evidenced by the hundreds of successful State and local referenda that have set aside funds for these purposes. And that public demand is evidenced in every poll, and the demand shows up in every region, every age group, every flavor of partisanship and ideology.

The Federal Government has an essential role to play in this area, because it can set national priorities and distribute funds that are beyond the States' capacity to raise. And this bill takes on that legitimate Federal role in the right way by plowing back some, not all, but some of those revenues that the Federal Government gains from exploiting our national resources into preserving our national resources.

That is not a new idea. It has been part of the idea behind the Land and Water Conservation Fund for decades, but CARA expands on that idea at this critical time when social and economic changes have caused more of our land to be under threat than ever before.

CARA is the right bill at the right time.

Now many people today will complain that the bill is not perfect; that it needs further changes. I happen to be one of those people, and I will elaborate on my concerns in a moment. But the main point to keep in mind today is that now, right now, today is the time to move this bill forward.

This bill is ready for passage by the House; further changes must occur later in the process, and we all know there is plenty of process left. The comforting fact about CARA is that it has continually improved as it has moved through the process. This is a bill that is getting better all the time.

With that in mind, I urge my colleagues to support the amendment the gentleman from Alaska will offer, which incorporates changes we have worked out that will help ensure that the bill does true environmental good and no environmental harm. I urge passage of the Young amendment and opposition to all other amendments today because all the others will prevent the bill from moving forward.

I do hope this bill will continue to be improved as it moves forward. Significant issues remain to be addressed, issues that were addressed in an amendment I crafted along with the gentleman from Massachusetts (Mr.

MARKEY) and the gentleman from New Jersey (Mr. PALLONE). We will not be offering this amendment, but I will be submitting it for the RECORD at this point, along with the letters of support it garnered, because I think the amendment indicates where this bill has to end up in the not so distant future in order to be signed into law.

But my remaining concerns are for tomorrow, not for today. Today we should rally behind this bill which reflects so many months of thoughtful work and compromise by such a broad group of people inside and outside the Congress.

Let us answer the public demand for effective legislating, for protecting open space, for improving quality of life by passing CARA by an overwhelming vote this week.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MCGOVERN).

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Chairman, I rise in strong support of this legislation.

Mr. Chairman, I rise in support of H.R. 701, The Conservation and Reinvestment Act of 1999 (CARA), and I commend Mr. YOUNG and Mr. MILLER for their leadership. CARA will create an unprecedented federal commitment to our nation's wildlife, coastal areas, open spaces and urban parks.

Thirty-five years ago, President John F. Kennedy wrote to Congress that "Actions deferred are all too often opportunities lost, especially when it comes to safeguarding our natural resources." Now more than ever we need to invest in our open spaces. There have already been too many missed opportunities. In my home state of Massachusetts, we lose two acres every hour to sprawling, ravenous development. In the few hours we spend debating this bill, another family farm will be turned into a housing development; another vacant urban space will be paved over; another playground will remain unbuilt.

The time for action has come and CARA's mandate is clear. Voters and legislatures in our states and localities have continued to approve open space funding initiatives at record levels. They have approved over \$10 billion since 1998. Congress needs to follow suit.

I am particularly pleased with Title II of this bill. As my colleagues know, in 1965 Congress set aside money from offshore drilling receipts in a trust designed to preserve our open spaces. Nevertheless, funding for this Land & Water Conservation Fund has been sporadic. Last year I offered an amendment, which passed the House, to the Interior Appropriations bill to put \$30 million back into the state-side LWCF account. Before that, the state-side account had gotten no funding since 1995. CARA's Title II puts the "trust" back in the trust fund by fully funding the state-side LWCF to its authorized level of \$450 million per year for the next 15 years.

I also urge my colleagues to reject any amendments that would weaken or upset the compromise embodied in this bill. As all of you know, getting 315 Members of Congress to agree on anything is an amazing accomplishment. CARA has 315 co-sponsors as a result

of thoughtful and meticulous negotiation. Compromise and bi-partisanship are the key to making CARA work, and this bill is too important to be sacrificed.

Finally, for the record, although I think CARA is an impressive bill and support it in its current form, I believe there are ways that the bill could be improved. I support a fully-funded \$100 million a year state-side "flexible funding" grant program to assist states in undertaking large conservation projects. I believe that we must guarantee that Congress actually expends the full level of federal-side LWCF funding set aside each year. I also believe that "Coastal Impact Assistance" funding must not be used to harm the environment. As we continue to work with the Senate and the Administration, I hope that we can find room to make some of these improvements.

Today we have an opportunity to make a real difference. Today we have a chance to save thousands of acres, preserve a healthy habitat for our wildlife and leave our children a natural legacy we can be proud of. I urge my colleagues to support this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, in section 101(b) the bill provides for the allocation of Title I funds on the basis of a formula that includes consideration of the proximity of OCS leases. In order to eliminate any argument that the application of the formula could provide an incentive to increase OCS activities which we are trying to mitigate through this bill, we are amending the formula to, one, consider only leased tracts which meet the criteria in the bill as of the date of enactment; and, two, prevent a recalculation of the formula at a later date, thereby excluding from the formula tracts leased after the date of enactment; is that correct?

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. The gentleman is correct.

Mr. MARKEY. Now, in section 101(c), the bill provides that an analogous formula shall be used where funds are distributed directly to political subdivisions smaller than a State. Consistent with our shared purpose to eliminate any unintended incentive to increase OCS activities, would the gentleman agree that the use of the term analogous in section 101(c) means that the payments under this subsection will include only those leased tracts which meet the criteria in subsection (b) on the date of enactment, and that there will be no recalculation of this formula at a later date?

Mr. GEORGE MILLER of California. If the gentleman will yield further, the gentleman is correct. Tracts leased after the date of enactment are not relevant to the operation of the allocation formula in either section 101(b) or 101(c).

Mr. MARKEY. I thank the gentleman from California. Would that also be the

understanding of the gentleman from Alaska (Mr. YOUNG)?

Mr. YOUNG of Alaska. If the gentleman will yield, yes, the gentleman has correctly stated my interpretation of these provisions.

Mr. MARKEY. Would the gentleman be able to assure me that this interpretation will be restated in the appropriate place in any subsequent report language accompanying the bill?

Mr. YOUNG of Alaska. The gentleman can rest assured that that will be done.

Mr. MARKEY. I thank the gentleman.

Mr. Chairman, I would like to address some of the environmental provisions that I think should be included in this bill to make it a completely positive environmental bill. They are changes that I believe will only improve the bill by ensuring that CARA allocates oil and gas lease revenues for programs that are environmentally beneficial.

Mr. BOEHLERT, Mr. PALLONE and I crafted an amendment to address these environmental concerns. As part of a compromise negotiated with Mr. YOUNG and Mr. MILLER, some of these issues will be included in the Manager's amendment.

In particular, I am pleased that Mr. YOUNG and Mr. MILLER agreed to remove the potential incentives to increase the number of oil and gas in the compromise. We accomplish this change by simply calculating a State's allocation of coastal funds once. We take a snapshot of the relevant leases on the date of enactment of the bill. Then we frame it and hang it on the wall for the life of the bill. That way it is clear which leases are relevant to the distribution of CARA coastal assistance funds.

The remaining improvements focus on three specific aspects of the bill:

The consequences of the coastal assistance fund,

Unused funds in the Land and Water Conservation program, and

Improvements to wildlife conservation programs.

According to the allocation formula for coastal assistance funds in the CARA, a single state receives close to 1/3 of the coastal assistance fund. It's like this coastal fund is a giant birthday cake. You all know that when you cut the first piece of cake, you get two pieces—the small one you cut and the rest of the cake. What has happened here is that the larger piece has been given away first, leaving the small piece to be distributed among the other coastal states.

I believe the offshore oil and gas revenues should be distributed more equitably to all coastal states.

In the amendment we developed a new formula that would have benefited almost every state. The new formula also would have freed up \$100 million for new the competitive grant program for lands of regional or national interest.

In addition, we would like to see changes to the allowed uses for the coastal funds to ensure that this money would be used to improve the environment and limit the amount that could be used for harmful infrastructure projects.

The Land and Water Conservation Fund faces a different situation. In recent years, the federal portion of the fund has not received the fully authorized amount in the appropriations process. To improve this situation our amendment would have allowed the President to allocate any unused money to previously specified land acquisitions. But no funds could have been expended until 4 months after the President made clear the intent to do this.

Finally, our amendment would have ensured that states develop a strategy for the wildlife conservation funds they receive under CARA. This change would have ensured States use sound science and coordinate their activities with other agencies to make the best use of the wildlife funds. This amendment has widespread support among wildlife conservation groups and I am confident it can be adopted as the process moves forward.

I want to reiterate that I fully support CARA with the Manager's amendment. In addition, I oppose all other amendments, particularly those amendments that weaken the bill. I believe that the changes I have suggested will improve the bill and I encourage my colleagues to consider these issues as the process moves forward.

Mr. POMBO. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I rise today with reservations regarding the Conservation and Reinvestment Act, CARA, in its current form. Unfortunately, Mr. Chairman, I cannot support this bill as it presently exists. I have concerns about the lack of property rights protection in this legislation. I will offer a condemnation amendment to address the fundamental flaw in this bill.

My amendment will ensure that landowners are not forced to sell their property and are treated fairly in the process. CARA provides for \$900 million to be appropriated annually for the Land and Water Conservation Fund for the purposes of purchasing land, including private property, farms and ranches. Private landowners are understandably nervous that with such huge sums of money available, their land may be easily condemned for public use.

CARA contains no private property rights protection for LWCF funds provided to State and local governments and very minimal protection with Federal funds. It comes down to the basic right that government should not be able to force taxpaying citizens off their land, land that has sometimes been owned for generations by families. I do not think anyone believes this

should take place. My amendment goes a long way in preventing this from happening. I agree that money for parks and recreation, historic preservation and wildlife restoration are worthy endeavors. However, I cannot support a bill which forgoes the rights of American citizens. Mr. Chairman, I hope that my colleagues will support my amendment which will significantly improve this bill.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Chairman, let me begin by saluting the chairman of the Committee on Resources as well as the ranking member for their leadership in demonstrating that Republicans and Democrats can work together on important environmental legislation. This legislation is clearly in the spirit of that great conservation President, Teddy Roosevelt, legislation that will further our investment in open space, our investment in conservation and wildlife habitat, farmland preservation and the protection of wetlands.

I have had the privilege over the last 6 years of representing the south side of Chicago and the south suburbs. One thing I have seen every day that I drive through the district I represent, that is, the south suburbs keep growing south. Clearly the need to protect land for open space and conservation must be a priority. This legislation nicknamed CARA is a step in the right direction. I believe it is probably the most important environmental vote that I will have an opportunity to make in the 6 years that I have been here. I think of Illinois and the home State that I represent, and Illinois historically has not done very well in acquiring Federal dollars for conservation and for open space and wildlife habitat, but this legislation will turn that around.

In fact, my home State of Illinois will benefit to the tune of almost \$56 million in funds that will come back to Illinois to match the initiatives for open space that Governor Ryan has initiated on his "40 over 4" program to set aside land for open space in Illinois, and from a local level, the Will County forest reserve which through the initiative of the taxpayers last year, initiated an \$80 billion bond authorization. They will receive matching funds for open space and conservation. It will also help support our efforts to save and preserve the Kankakee River, one of Illinois' historically cleanest rivers through conservation easements as well as wetlands preservation.

And last, I would note as a representative of the city of Chicago that the city of Chicago ranks 18th out of 20 in parks and lands set aside for recreation and conservation, that these funds will help the city of Chicago, not only establish new parks and green space but reestablish the Lake Michigan shoreline in the city of Chicago.

□ 1745

This legislation, CARA, is good for the environment, it is good for conservation, it is good for Illinois' future, it is good for America's future. I salute the gentleman from Alaska (Mr. YOUNG) for his leadership, and I urge an aye vote.

Mr. Chairman, I rise today to offer my strong support of H.R. 701, the Conservation and Reinvestment Act. The Conservation and Reinvestment Act will greatly benefit our nation and the residents of the State of Illinois, providing \$56 million annually to Illinois for conservation.

The Conservation and Reinvestment Act is a landmark in our nation's conservation heritage. H.R. 701 is the most significant piece of environmental legislation in a generation, and I am pleased to be a supporter of it. The accomplishments of this bill are many, including providing open space preservation, fish and wildlife conservation, urban park restoration, and historic renovation.

Mr. Chairman, my home State of Illinois will see tremendous benefits from this legislation. Illinois currently receives far less federal dollars than most other states for open space preservation. This is wrong when we know that our open space is disappearing rapidly, especially in the South Suburbs which I represent. Governor George Ryan has crafted a successful program in Illinois known as the Open Land Trust, providing \$40 million annually over four years to protect and preserve open space. The Conservation and Reinvestment Act will provide matching funds for this program, making this an ideal time to pass the Act for Illinois.

In the 11th District which I represent there are several open space needs which will be met with the passage of the Conservation and Reinvestment Act. Will County recently passed a \$70 million bond authorization for the protection of open space. The Land and Water Conservation Fund portion of the Conservation and Reinvestment Act could leverage these local dollars by 50 percent. Further, the Illinois Department of Natural Resources has identified \$30 million in land acquisition needs in the Kankakee, Grundy, LaSalle areas. Land and Water conservation funds could provide an additional \$15 million to meet these needs. Finally, the City of Chicago currently ranks 18th of the 20 largest cities in open space preservation to population; the Conservation and Reinvestment Act will help to solve this problem.

In addition to open space benefits, Illinois will receive support for the conservation of fish and wildlife. Under the auspices of the Wildlife Conservation and Restoration Fund, Illinois will receive approximately \$14 million annually for the preservation and support of fish and wildlife. The Illinois Department of Natural Resources has identified a \$41 million annual need for the conservation of fish and wildlife preservation, education, and recreation. The Land and Water Conservation Fund would leverage state dollars by 75 percent. This portion of the legislation is vitally important not only for the health of our environment, plants and animals, but also for sportsmen and sportswomen. The legislation also provides shoreline protection funds through Title I provisions. These funds will help to protect Lake Michigan shoreline, Illinois Beach State Park, and endangered and threatened species. In

addition, funds for historic preservation are also provided.

Mr. Chairman, this is good bipartisan legislation and it should be passed today. I commend the leadership of Representative DON YOUNG and Speaker HASTERT in bringing the Conservation and Reinvestment Act to the floor and I urge my colleagues to support this bill and defeat any weakening amendments.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Puerto Rico (Mr. ROMERO-BARCELO).

Mr. ROMERO-BARCELO. Mr. Chairman, I rise in strong support of H.R. 701, the Conservation and Reinvestment Act and to congratulate the gentleman from Alaska (Mr. YOUNG) of the Committee on Resources and the ranking member, the gentleman from California (Mr. GEORGE MILLER) for putting together this landmark piece of legislation and, particularly, for putting aside all of the parochial interests and putting aside all of the partisan interests and putting together this extraordinary bill.

Mr. Chairman, today we will have the opportunity to stand up for our environment and to vote in favor of the most important resource protection and management bill that has come before this body in a generation. As ranking member of the Subcommittee on National Parks and Public Lands, I cannot stress enough the importance and impact that the Conservation and Reinvestment Act will have over the preservation of our natural resources for future generations.

As a sole, nonvoting representative of 4 million American citizens in Puerto Rico, I will not be allowed to cast my vote in favor of this legislation supported by my constituents. It is for that reason that I come before my colleagues today and urge them to support H.R. 701 and oppose any amendments that will upset the balance achieved through very long bipartisan negotiations.

Mr. Chairman, H.R. 701 is a carefully drafted consensus bill with over 300 cosponsors and the support of 50 governors, many State and local legislators, dozens of newspaper endorsements, and many business, environmental and wildlife groups. H.R. 701 fulfills the promise made by this body 36 years ago to dedicate a portion of the revenue stream from offshore oil production into preservation of our Nation's natural resources. We cannot delay the realization of this promise any longer. Our parks are under pressure from development, our recreational programs are insufficient, our wildlife is stressed, our coasts are in peril.

Mr. Chairman, we will fail the American people and future generations if we do not pass this legislation and support our Nation's natural resources. Vote "yes" on H.R. 701.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARY MILLER).

(Mr. GARY MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Chairman, I find myself on the opposite side of the gentleman from Alaska (Mr. YOUNG), and I have tremendous respect for the chairman of the Committee on Resources.

This bill sets up a mandatory funding mechanism of 2.8 billion annually. Currently, California and the Federal Government owns over 50 percent of the land. By removing \$2.8 billion annually from the budget for 15 years, it is a total of \$42 billion.

Since the budget resolution adopted by Congress last month allocates all of the surplus to either public debt reduction or tax relief for working families, passage of this bill would require Congress to either dip into the Social Security Trust Fund, cut the amount set aside for reducing the debt, or reducing the amount set aside for tax cuts for working people.

The fiscal year 2001 budget resolution provides \$50 billion over 5 years for tax reduction or paying down the debt. Instead, CARA will use up \$14 billion over that 5-year period.

No one is talking about the fact that this will likely trigger significant increases in discretionary spending in the form of new bureaucracies and personnel needed to implement the programs created by CARA. This new demand would likely, or inevitably, squeeze out programs such as discretionary spending on defense and education. How many bureaucracies will come up in the next 15 years to ask for more staff to help them spend \$2.8 billion per year.

The discretionary spending will also increase for the maintenance of newly acquired lands. According to the Clinton-Gore administration's own estimates, our national parks and Federal lands have up to \$15 billion in necessary maintenance backlogs. We are purchasing land at such a high rate that we cannot even keep up with the maintenance of these lands. How can that be considered good land stewardship?

Discretionary spending will also increase if CARA is passed for the purpose of having to compensate local jurisdictions for the loss of economic development. This is money that can be used for saving Social Security, paying down debt, and providing tax cuts for Americans.

Furthermore, Federal and State land acquisition negatively impacts local communities by reducing tax revenues for education and crime prevention and other services. Some of my colleagues argue that this bill addresses the issue by securing funds to deal with these impacts, but this money is not guaranteed unless Congress appropriates money for this purpose. More discretionary spending that is directed away from more important issues like health care, research and public safety.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 15 seconds to the gen-

tleman from New York (Mr. GILMAN), a good friend. I wish I had more time, but I understand I cannot get it.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) for their cooperation and dedication in bringing this measure to the floor. It is a unique opportunity for our Congress to address the conservation and preservation needs of our Nation's communities. It has been carefully crafted to meet a wide diversity of public land needs, and it is a measure that will provide funding for vital conservation programs and the needs in our own area in New York State.

Mr. Chairman, permit me to take this opportunity to commend the distinguished gentleman from Alaska, Chairman YOUNG and the ranking minority member the gentleman from California, Mr. MILLER, for their cooperation and dedication in bringing H.R. 701, the Conservation and Reinvestment Act (CARA) to the floor at this time. This measure is a unique opportunity for the 106th Congress to address the conservation and preservation needs of our Nation's communities.

H.R. 701 has been carefully crafted to meet a wide diversity of public needs. This measure would provide funding for vital conservation programs, urban park needs, agricultural and forestry easement programs, historic preservation, wildlife enhancement, and other important environmental initiatives.

Designed to protect our Nation's natural heritage, the Conservation and Reinvestment Act reinvigorates the Land and Water Conservation Fund (LWCF). This vital program has saved thousands of acres of forest, miles of river, and many of America's mountain ranges. Fully funding this program will provide outdoor recreation opportunities that will improve the quality of life for all Americans.

Furthermore, this proposal sets up a competitive grants program, run by the Interior Department, to enable States to purchase lands of easement. This is a critical component to regions of the country that have compelling national interests but cannot access adequate Federal or State LWCF funding.

In the New York-New Jersey Highlands, the largest, wild, forested area in the metropolitan New York City area, vast areas of open space are threatened with sprawl development. These lands represent critical economic, ecological and recreational resources, and protect the water supply for millions of people in our region.

Our struggle to acquire Sterling Forest is just one example of why this competitive grant program is so important. With \$17 million from the LWCF and matching funds from the States of New York, New Jersey and the private sector, we were able to purchase thousands of acres of pristine open space.

The proposed competitive grants program would continue to provide funds for areas like Sterling Forest, the Adirondacks and the Everglades, that will need a Federal and State partnership to be preserved. I commend my colleagues for including this program and hope we will be able to work with the Senate to fully fund this provision.

Over the past year, in cooperation with local environmental groups and the State of New York, we have fought with inadequate Federal support to preserve vital open spaces, such as Clausland Mountain, in our Hudson Valley. The passage of H.R. 701 would bring new hope for our regions, allowing communities to fight urban sprawl, reserve natural and historic sites, protect wildlife and support wetlands conservation.

This important legislation draws its support from a bipartisan delegation of over 300 cosponsors, Governors, mayors, and a wide range of organizations in all 50 States and the District of Columbia, including park and recreation associations, conservation and smart growth groups, land trusts, the recreation industry, and chambers of commerce.

In closing, on August 31, 1910, Theodore Roosevelt stated: "I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us."

H.R. 701 offers our future generations the opportunity to enjoy our Nation's most precious resources. Accordingly, I urge my colleagues to join me and thousands of Americans in support of this measure.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE), a member of the committee.

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Chairman, this truly is a great day for the House where common sense and bipartisan thirst for progress is really going to trump ideology.

I want to tell my colleagues why I think it is such a great day. I spent 4 days last summer eyeballing the need for this bill by kayak in my district. I spent 4 days in a kayak going all across the waterways in my district. I want to tell my colleagues, I came away impressed with one thing: it is about time that the U.S. Congress makes this commitment.

Let me tell my colleagues about a couple of things I saw. I went up the Sammamish River, stopped at the soccer fields where I saw hundreds of kids playing soccer with hundreds of kids literally on the sidelines who did not have fields to play on. We need to build new soccer fields. Not one of those kids playing soccer was stealing hubcaps. This is a juvenile crime issue as well.

I kept going up the Sammamish River, got to where Little Bear Creek and Big Bear Creek flow in. I talked to some residents there who told me, we have to buy these conservation easements to protect the headlands so that we can prevent the extension of salmon runs in Bear Creek.

I kept paddling down Lake Washington with a guy named Bill Nye. My colleagues may have heard of Bill Nye, the science guy, who told all of the people on our kayak tour about the importance of water quality and wetlands and preserving wetlands for salmon.

I kept going to Karakeek Park and Puget Sound where I grew up, where I

grew up with salmon, and these salmon are now, they were gone from Piper's Creek for 2 decades and they are coming back, partly because of the efforts we have made to preserve those habitat.

I am just here to say, Mr. Chairman, this may be the best day in this Congress when we are going to put aside partisanship, we are going to do what the American people are demanding us to do and make a real investment in the future of our kids.

Mr. POMBO. May I inquire of the Chairman as to the time remaining?

The CHAIRMAN. The gentleman from Alaska (Mr. YOUNG) has 15 seconds remaining; the gentleman from California (Mr. GEORGE MILLER) has 26½ minutes remaining; the gentleman from California (Mr. POMBO) has 6 minutes remaining.

Mr. POMBO. Mr. Chairman, I would like to ask my colleague from California to use some of his time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. VENTO), a member of the committee.

Mr. VENTO. Mr. Chairman, I rise in support of the bill. I want to commend our chairman, the gentleman from Alaska (Mr. YOUNG) and our ranking member, the gentleman from California (Mr. GEORGE MILLER).

I was pleased to work on the task force that came up with most of the provisions that are in this bill. It is a good product. Frankly, this is going to take us from standing still over the past decade really in terms of trying to deal with land use questions and landscapes and the preservation of them in this country, and to fulfill the responsibility to the States and to the Federal land management agencies.

The fact of the matter is a lot of bogus arguments have been thrown around here today. One of them is we have this vast, extended, expanding Federal Government in terms of the purchase of land. Well, the facts are quite different. In fact, we have been losing and giving away some of that land, rightfully so. I am not objecting to it, but even when we add in the Department of Defense and others, we have not been expanding that land base.

Secondly, we have 45 to 50 million acres of land that is public land that we have no access to. In other words, the only way we can get access to that land is to buy the easement to cross private land. We have major problems in terms of dealing with funding of the promises that we are making. Most of us get up and vote for a park, we vote for a monument, we vote for some other activity, but the fact of the matter is, within the boundaries of those parks and those monuments and forests that we have, they are private inholdings, and they cause us a great difficulty in terms of trying to administer these lands.

That means we need to put some dollars into the tank here to, in fact, fund

the purchase of those easements so that we can use our public lands. We need to put dollars into the program so that we can buy the inholdings that are within parks that people want us to buy on a voluntary basis. We need to deal with buying some of the areas that are the riparian areas that are essential to the management of a unit. We have streams on many of the lands that have been selected by private individuals that perhaps will be purchased are lands that are essential to managing an entire unit. It might be a stream, it might be other factors.

So the issue here is that we have to keep the promises. It is nice to have the good intentions of our appropriators and others present on the floor and represented here today. I appreciate their good intentions. But what we really need is we need the dollars to fund the program and the promises that we made from the National Park System to the Forest Service, to the Fish and Wildlife Service, and to many others. After all, these are dollars that we have committed over 30-some years ago.

We said, when we use up a finite resource in terms of gas or oil revenues on the Outer Continental Shelf, we are going to bring some of those dollars back in and fund some programs that will help and be the legacy of future generation of our children. In the process, we are going to preserve these areas, we are going to conserve them, and we are going to provide the restoration. What could be more elemental in terms of fairness than providing the States that are enduring the problems of gas and oil development and the damage from that to correct that?

Mr. Chairman, that is what this bill does. It is a well-balanced bill. It is a bill that we should enthusiastically vote for and vote against the amendments that will unbraid the agreement that has been made here today, the mischievous amendments. Vote against the bogus arguments. Stand up for what our constituents want. I would bet that this is one of the more popular bills in terms of our constituents, in terms of dealing with parks, one of the best ideas America ever had.

Mr. Chairman, I rise in strong support of H.R. 701, the Conservation and Reinvestment Act (CARA), which would protect America's natural legacy today for tomorrow.

First, I would like to thank Chairman YOUNG and Representative MILLER for working together on this landmark legislation, which is one of the most sweeping environmental protection initiatives in twenty years. I would also like to acknowledge the broad base support of this bill including over 300 bipartisan cosponsors, all 50 Governors, states and local communities, leading parks, sporting, environmental, recreation and conservation organizations. This unusual consensus clearly demonstrates and punctuates the importance of this measure, which seeks to provide substantial, reliable, and necessary funding for our nation's resources.

H.R. 701 is the culmination of over several months of intensive negotiations involving my-

self and other members of the Resources Committee to develop a bill that will aid every state in its quest for resource and wildlife protection. I would like to point out to Members that in an effort to keep the bill together, we agreed to sound compromise language just this week before floor consideration. Specifically, moving the bill back to being on-budget and addressing statute language that could have potentially encouraged states to boost offshore oil production. The result today is legislation that empowers local communities to help fulfill the growing demand for park and recreation resources close to home. Whether it is the need for new soccer fields, wildlife refuges or picnic areas, this important funding will be there to help protect our outstanding national forests and lands. I am particularly pleased that this legislation could provide more than \$38 million for Minnesota communities for new parks and recreation programs.

The concept that guides this measure is clear and workable, as the federal government leases off shore areas for oil and gas development using a finite natural resource that we invest a good portion of the revenues earned from such leases in the conservation preservation and restoration of our lands as a legacy for future generations. Today, by contrast, notwithstanding good intentions, we are losing our natural lands legacy. The best protection for existing landscape preservation is the fund to purchase such lands outright or the easement that will insure such conservation.

Specifically, this bill would provide a permanent annual fund to expand parks and recreation, preserve open space and farmland, protect wildlife and preserve historic buildings—our children's natural legacy. This dedicated funding would come from existing offshore oil and gas royalties and provide necessary dollars to environmental programs such as the Land Water Conservation Fund (LWCF).

Working for full funding of the LWCF and the other elements in CARA is critical in the government's role to aid in the preservation, conservation and restoration of landscapes surrounding our national parks and other conservation areas throughout the nation, and in protecting ecologically significant lands that are being lost to development each and every day. Unfortunately, funding for these programs have continually eroded to a point where the state portion of the LWCF has not received funds since 1995. So much for good intentions. H.R. 701 will fund the LWCF at its authorized level of \$900 million, in addition to providing \$125 million annually for urban parks and \$150 million annually for conservation easements.

Moreover, this legislation will also disperse money to coastal states to offset the effects of offshore oil drilling and to restoration of landscapes and degraded coastal ecosystems activity.

Mr. Speaker, the constituents that we represent would place a very high priority upon the national, state and local landscapes embraced by this legislation. I dare say for many, the highest priority. The conservation of our landscapes and the development of parks for people is a uniquely American idea. This Congress and this generation of Americans must do our part to fulfill this vision and pass this bill and save our children's legacy.

I would strongly urge all Members to support H.R. 701 and oppose any reckless amendments that could potentially alter the

face of this carefully constructed bill and threaten our efforts in protecting the crown jewels—our pristine natural resources. H.R. 701 is a real commitment to future generations, funding and preserving their natural and historical inheritance.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I thank the gentleman for yielding.

I rise today in strong support of H.R. 701, the Conservation and Reinvestment Act. This is truly a historic moment, for this Congress, all of us, have a unique and singular opportunity to restore and safeguard our country's natural legacy. I also must first applaud the chief architects of the bill, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER). Not always of like minds, they came together on this measure because they both recognize the significant need for providing substantial and reliable funding for our Nation's resources.

I can also safely say that it is not often that the committee presents strong bipartisan support for a conservation bill, as we have in this case. H.R. 701 enjoys wide support also from all 54 governors, and it has been cosponsored by a majority of Republicans and Democrats.

Of course, any good bill must also have its opponents, and there are also disparate groups, such as the Sierra Club and anti-conservation groups, that have become strange bedfellows in their opposition. But most importantly, the people of this country, including those in my district, want this bill.

Two years ago, both our committee, as well as its Senate counterpart, held oversight hearings on the lack of funding since fiscal year 1995 for State grants. In my district, despite our local government's best efforts with limited resources, our local parks continue to be in very serious disrepair and our young people lack adequate recreational space.

As a strong believer in recreational programs as a way to channel the youth of our country into positive activities and in safe and well-kept parks as a way to bring communities together, I am especially pleased, therefore, that this bill would dramatically increase Federal spending on outdoor recreation facilities through the Urban Parks and Recreation Recovery Program.

Today, we can change the years of neglect, preserve important natural resources, and utilize them to improve the fitness and uplift the spirit of our people and revive the village that is America.

Mr. Chairman, I am very hopeful about the prospects of this bill before us today, and I urge all of my colleagues to support its passage.

We have been disappointed that over the past several years no funds have been appropriated for the UPARR program.

Two years ago, both this committee as well as its Senate counterpart, held oversight hearings on the lack of funding, since fiscal year 1995, for state grants. In my district, despite our local government's best efforts with limited resources, our local parks continue to be in very serious disrepair and our young people lack adequate recreational space.

As a strong believer in recreation programs as a way to channel the youth of our country into positive, healthy, constructive and nurturing activities, and in safe and well kept parks as a way to bring communities together, I am especially pleased, therefore, that H.R. 701 would dramatically increase federal spending on outdoor-recreation facilities through the Urban Parks and Recreation Recovery Program (UPARR).

Today we can change the years of neglect, preserve important natural resources and utilize them to improve the fitness and uplifts the spirit of our constituents and revive the village that is America.

I am very hopeful about the prospects of the bill before us today and I urge all my colleagues to support its passage.

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Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I rise in strong and enthusiastic support of this historic measure. I believe it deserves the favorable vote of every Member of the House.

I want to also extend my gratitude to the chairman of the committee, the gentleman from Alaska (Mr. YOUNG) and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for their leadership, creativity and persistence in shaping this bill.

This bill is a reflection of the promise of one of the wisest and most far-sighted conservation measures ever, the Land and Water Conservation Act. The promise of that Act was that the Federal government, as it sold Federal nonrenewable resources such as oil and gas from the Outer Continental Shelf, that a major portion of those proceeds would be invested in conserving our lands and waters, and helping our local communities make similar investments.

Unfortunately, because of the problems over the last years with our budget deficits, we have been unable to meet those obligations. But now the budget situation is different, and we have a chance to make up for the shortfalls of the past and invest in our future.

There is much that this bill will help us accomplish. It will help communities respond to the challenges of growth and sprawl. It will help Colorado's ranchers and farmers, and those of other States, to keep their lands and agriculture through conservation easements and similar measures. It will help provide more resources to historic preservation all throughout our great country.

By bolstering the PILT program, we can help counties and local governments in areas where the Federal government is a major landowner, and we can do it the right way, by providing those funds are not tied to extractive or other uses of Federal lands.

Mr. Chairman, when we consider all that this bill will do for this country, I am convinced, as many of the previous speakers are, that this is one of the most important measures that we can undertake, not only this year but in any year. I strongly urge its passage. It reflects the spirit of the old saying, that we do not inherit the Earth from our parents; in fact, we borrow the Earth from our children.

Mr. Chairman, I rise in strong and enthusiastic support of this historic measure. It deserves the favorable vote of every Member of the House.

All of us are indebted to our Chairman, the gentleman from Alaska, and our ranking Member, Mr. GEORGE MILLER of California. Thanks to their leadership, creativity, and persistence in shaping this bill, we today have an opportunity to take a giant step toward fulfilling the promise of one of the wisest and most far-sighted conservation measures ever—the Land and Water Conservation Fund Act.

The promise of that Act was that as the federal government sold non-renewable resources, particularly the oil and gas from the outer continental shelf, it would invest a major part of the proceeds in conserving our lands and waters and in helping our local communities to make similar investments.

Unfortunately, because of the budget problems of the past, for too long the Congress feel short of fulfilling that promise. But now our budget situation is different and we have a chance to make up for some of the shortfalls of the past and in fact to expand the benefits for our country.

By passing this bill, we can help our communities respond to the problems of growth and sprawl and to provide much-needed places for sports and outdoor recreation. We can help preserve our open spaces by acquiring inholdings in our parks and forest from people who want to sell. We can help protect threatened by endangered species, and can assist our state wildlife agencies to manage the fish and wildlife resources that are so important to Colorado and the rest of the nation.

We can help Colorado's ranchers and farmers—and those of other states as well—to keep their lands in agriculture through conservation easements and similar measures that enable them to reap some of the benefits of increased land values without having to sell them to developers.

By greatly increasing the resources of the Historic Preservation Fund we can help preserve the irreplaceable historic legacy of Colorado and our nation—saving historic landmarks, attracting private investment, and helping bring economic vitality to historic sites Gilpin, Clear Creek, Adams, and Jefferson Counties and to neighborhoods in Boulder, Arvada, and countless other communities in Colorado and across the continent.

And by bolstering the PILT program, we can help the counties and other local governments in areas where the federal government is a major landowner and we can do it the right way, by providing funds that aren't tied to timber sales or other uses of the federal lands

and without making the local communities hostages to the debates over timber harvests or other extractive uses.

Mr. Chairman, I recognize that some Members have concerns about the bill. I am sure that we will hear more about that during the course of the debate on the bill and amendments that may be offered. And, after all, there is no perfect legislation.

When you consider all that this bill would do for our country I am convinced that it is one of the most important measures not just of this year but of many years to come. I strongly urge its passage. It reflects through action the spirit of the saying we don't inherit the earth from our parents, we borrow it from our children and I attach letters of support from the Executive Director of the Colorado Department of Natural Resources and the Chairman of the Colorado Wildlife Commission.

Mr. Chairman, I include for the RECORD the following documents:

STATE OF COLORADO,
Denver, CO, May 5, 2000.

Hon. MARK UDALL,
House of Representatives, Cannon HOB7,
Washington, DC.

DEAR CONGRESSMAN UDALL: I want to thank you for prior support of HR 701, the Conservation and Reinvestment Act (CARA), and I urge you to support its final passage. Enactment of CARA is the single most effective step Congress can take to minimize the need to list declining species under the Endangered Species Act. HR 701 offers the diverse interests of our states and communities the non-regulatory tools they need to collaboratively conserve fish and wildlife, and the habitat the species depend upon, before the restorations of the Act force desperate and far more costly attempts to reverse their decline.

HR 701 invests in wildlife conservation; PILT payments; open space; farmland and historic preservation; recreation; federal, state and local parks; endangered species recovery; and landowner incentives. At the same time, HR 710 provides private property owners protection that do not now exist when Congress and federal agencies set priorities for the federal side of the Land and Water Conservation Fund, and brings balance to the federal and state side of the program.

For the reasons, Governor Bill Owens has endorsed the passage of CARA. He and I would appreciate your continued support of this historic legislation.

Sincerely,

GREG WALCHER,
Executive Director.

STATE OF COLORADO,
DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF WILDLIFE
COLORADO WILDLIFE COMMISSION RESOLUTION
CONSERVATION AND REINVESTMENT ACT

Whereas, Colorado's population growth and land use changes are having a tremendous impact on Colorado's game and non-game wildlife populations, and

Whereas, Colorado faces increasing challenges in maintaining high-quality wildlife recreational opportunities throughout the state, including habitat loss, mule deer decline, whirling disease and other factors, and

Whereas, Colorado currently lists twenty species as endangered, twelve as threatened, and 41 under special concern, and

Whereas, license buying hunters and anglers have provided the vast majority of financial support for the DOW's wildlife programs, including game and non-game programs, and

Whereas, the DOW and the Wildlife Commission have recognized the importance of developing additional alternative sources of funding for the broad array of programs demanded by the public, and

Whereas, the House Resources Committee has reported H.R. 701 to the United States House of Representatives for action, and

Whereas, the proposed legislation, if enacted, would provide a significant and much-needed boost in funding for Colorado's wildlife programs, and

Whereas, H.R. 701 is the product of extensive negotiations and includes critical new funding for wildlife programs, the operation and maintenance of federal lands, conservation easements and endangered species recovery efforts, and

Whereas, H.R. 701 also includes important provisions to provide private landowners with a higher level of protection than they receive under current federal law, and

Whereas, Governor Bill Owens, Department of Natural Resources Director Greg Walcher, along with sportsmen and conservation groups such as the Colorado Bowhunters Association, Colorado Wildlife Federation, and local chapters of Trout Unlimited, the Audubon Society and the Wildlife Society are among the 3000 organizations nationwide that support federal legislation—H.R. 701—known as the Conservation and Reinvestment Act (CARA);

Now, Therefore, Be It Resolved that the Colorado Wildlife Commission endorses the proposed federal legislation and urges the 106th Congress to pass H.R. 701 at the earliest opportunity, and

Be It Further Resolved that the Colorado Wildlife Commission commends Governor Owens, DNR Executive Director Greg Walcher, the outdoor recreation and conservation groups who have endorsed CARA, and the members of Colorado's congressional delegation who have actively supported H.R. 701, and

Be It Further Resolved that the Colorado Wildlife Commission urges all members of Colorado's congressional delegation to support, cosponsor and help pass legislation to establish the critical wildlife, habitat protection and outdoor recreation funding programs called for in CARA, and

Be It Further Resolved that copies of this resolution shall be sent to members of Colorado's congressional delegation and wildlife conservation groups throughout the state.

Adopted by the Colorado Wildlife Commission on May 5, 2000, Sterling, Colorado.

BERNARD BLACK,
Chairman, Colorado Wildlife Commission.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I thank my colleague for yielding time to me.

I hate to say is this, but listen to this quote. This is from the co-founder of Earth First. This is what he says: "It is not enough to preserve the roadless, undeveloped country remaining. We must recreate wilderness in large regions, move out the cars and the civilized people, dismantle roads and dams, reclaim the plowed lands, clearcuts, and reintroduce the extirpated species."

They want to get rid of the people, get rid of cars, bring back the species, get rid of everything. In short, as hu-

mans, we do not even have a right to this land. Now the CARA bill is simply making their work easier.

We can come on the floor and say this is a great bill, but frankly, we are not at the point where we can authorize more money because we are not even taking care of the land we now have. That is embarrassing. Almost one-third of the land in America is owned by the Federal government. If we add local and State government lands together, that percentage reaches 42 percent. Should half of us move?

The CARA bill will not only fund the LWCF trust fund, the key vehicle for land acquisition, at \$900 million, but most of the trust funds created by the other titles can also be used for land acquisition. That totals almost \$2 billion. That means that State and local governments will have unprecedented amounts of Federal money to buy more private land. We can couple this with the Clinton-Gore acquisition plan, right?

The second reason I am against this is because this bill allows the government to circumvent our existing programs, conservation needs. Both the National Park Service and Forest Service have reported billions of dollars in backlogged maintenance requests. So why are we adding more money when we have this huge backlog of maintenance requests?

Mr. Chairman, as summer approaches, our parks will again swell with families and individuals enjoying our parks. But look closer and we will see crumbling facilities, deteriorating paths, families being turned away because the parks are unable to handle them.

I encourage my colleagues, let us use some common sense here. Vote against this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA), a member of the committee.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in strong support of H.R. 701, the Conservation and Reinvestment Act. I want to commend our chairman, the gentleman from Alaska (Mr. YOUNG) and our ranking member, the gentleman from California (Mr. GEORGE MILLER), for the time they spent personally working on the really difficult issues which needed to be resolved in bringing this bill to the floor.

I certainly also want to commend and credit our colleagues, the gentleman from Michigan (Mr. DINGELL), the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Minnesota (Mr. VENTO), the gentleman from Louisiana (Mr. JOHN), the gentleman from New Mexico (Mr. UDALL), and the gentleman from Colorado (Mr. UDALL), for all the time they have devoted in working out the details of this bipartisan legislation.

Mr. Chairman, this bill encourages the continuation of State and local funding for conservation programs. Generally, the State governments will have to continue local funding at existing levels to be eligible for Federal funding. This ensures that there is substantial local support for these programs.

Mr. Chairman, the bill also provides funding for Federal and Indian land restoration and for the Payment in Lieu of Taxes program. Again, the additional funding for the PILT program is done to assist local governments who have lost some of their tax base through the increase of Federal lands.

While I would have liked to see more than \$20 million per year go to the restoration of American Indian lands, I am very appreciative that we are recognizing this need. Grants will be awarded by the Department of the Interior on a competitive basis, and no single tribe can receive more than 10 percent of the allocation in each fiscal year.

Mr. Chairman, I can understand and appreciate the concerns of the members of the Committee on the Budget and the Committee on Appropriations subcommittees, and their desire to allocate our funds each year. But given the 315 cosponsors of this legislation and the support garnered by the transportation bills, I can only suggest that, as a body, we are really ready to address certain needs more proactively.

Mr. Chairman, I urge my colleagues to support this legislation.

Mr. Chairman, I rise today in strong support of H.R. 701, the Conservation and Reinvestment Act, and I want to commend Chairman DON YOUNG and Congressman GEORGE MILLER for their leadership and the enormous time they spent personally working on the really difficult issues which needed to be resolved to bring this bill to the floor. I also want to credit our colleagues Mr. DINGELL, Mr. TAUZIN, Mr. VENTO, Mr. JOHN and Mr. TOM and MARK UDALL for all the time they devoted to working out their details on this bill.

For decades Congress has been struggling to balance our nation's desire to preserve the natural beauty of our country, against our desire to develop and expand our economy, and provide for our growing population. Many of us would like to see additional land set aside for the public as we are concerned that if we don't take steps now to preserve the land available, there won't be much left to preserve, and the land that will be available will be prohibitively expensive to acquire. This legislation puts us in a position to set lands aside for parks, forests, agriculture and other public uses.

It is my understanding that the Department of Commerce is concerned with certain provisions of Title I of this bill because of certain existing authority of the Department would be effectively transferred to another federal agency. I do not believe it is the intent of this legislation to alter any existing authority regarding the management of our commercial fishery resources and I hope this intent is clarified either in the Senate or in Conference Committee.

Mr. Chairman, H.R. 701 is opposed on both the left and the right. One environmental

group, for example, opposes the bill because it threatens our coastal environment with incentives for new offshore oil and gas leasing in some sensitive coastal areas. Even with the proposed managers' amendment to address this issue, they have concerns.

On the other side, the bill is opposed by the so called "budget hawks" because it will earmark money every year for the acquisition and maintenance of public areas. This will not be all for federal land, mind you, as a sizable portion of the funding will be available for state and local governments to preserve important lands.

In response to these arguments, I can only say that I often hear the statement that we need to send funding and control of that funding to the state and local governments. This bill does that, yet the same people who generally support state's rights are now saying that we can't trust state and local governments to use wisely the money that Congress provides. I also know that there are others who say we can't trust the state and local governments, but it's for just the opposite reason. This bill strikes a delicate balance—federal agencies will get some of the money, as will state and local governments. No one is going to force any government to spend the money. If any local government believes it is better off leaving private lands private so it can continue to collect property taxes on those parcels, no new land will be acquired.

Additionally, no one is going to be forced to sell private land to any level of government. The bill balances this also so there will only be willing sellers. But I don't want to dwell on land acquisition, as the bill does so much more.

Mr. Chairman, this bill encourages the continuation of state and local funding for conservation programs. Generally, a state or local government will have to continue local funding at existing levels to be eligible for the federal funding. This ensures that there is substantial local support for these programs.

The bill limits the amount of funding which can be used for administrative purposes to no more than two percent, thereby ensuring that the money is used for the purposes intended.

The bill establishes a Coastal Impact Assistance and Conservation Fund to help coastal states mitigate the various impacts of offshore drilling and other OCS activities, and provides for the conservation of coastal ecosystems. Given the number of Americans that live close to our coasts, the number of people who continue to move to these areas, and the number who travel there for vacations, we need to do a better job of preserving our coastal areas, or they will lose those qualities which we now find so attractive.

Most of us, I think, support the Land and Water Conservation Fund, and even though it is authorized at \$900 million per year, appropriations have averaged only one-third of that. This lack of funding is not the fault of the Appropriations Committee, for it is we as a body who set the funding levels with which they must operate. This bill is our chance to fully fund this popular program.

H.R. 701 also provides additional funding for wildlife conservation and restoration. There will be \$350 million dedicated to the "Pittman-Robertson" wildlife conservation and restoration program, which provides for the conservation of all animals.

The bill also balances benefits to urban and rural areas. To ensure our urban areas ben-

efit, funding is dedicated through the Urban Parks and Recreation program to be administered by the Department of the Interior.

The Historic Preservation Fund is another popular program which benefits all our districts. We are not now adequately funding this program, and even with the \$100 million per year dedicated from the CARA fund under this bill, it is still not enough, but it is a good start.

For those concerned about our loss of farm land, this bill provides \$100 million per year from the CARA fund for the protection of prime farm, ranch and forest lands by limiting the non-agricultural uses to which these lands could be put. There is money in this fund to provide incentives for private landowners to aid in the recovery of endangered and threatened species. This should be welcomed by those who believe the Endangered Species Act is too protective of every species but the human species.

The bill also provides funding for federal and Indian land restoration and for the Payments in Lieu of Taxes program. Again, the additional funding for the PILT program is done to assist local governments who have lost some of their tax base through the increase of federal lands.

While I would like to see more than \$20 million per year go to the restoration of American Indian lands, I am very appreciative that we are recognizing this need. Grants will be awarded by the Department of the Interior on a competitive basis, and no single tribe can receive more than 10% of the allocation in any fiscal year.

Mr. Chairman, I can understand and appreciate the concerns of the Members of the Budget and Appropriations Committees and their desire to allocate funds each year. Perhaps in theory we should not have to enact legislation like this bill and recent major transportation authorization bills. But, given the 315 cosponsors this bill has, and the support garnered by the transportation bills, I can only suggest that as a body we are ready to address certain needs more proactively.

Perhaps several years down the road, we will want to adjust the priorities we are setting today. Perhaps as our economy changes we will want to use our OCS money differently. But for today, I believe this compromise bill will set the standard not only for our country, but for other countries too. For if we expect other countries, most of which are not in as good an economic position as we are, to preserve their forests and other natural areas, we should be taking the lead.

Mr. Chairman, I urge my colleagues to support this legislation.

Mr. YOUNG of Alaska. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. LAZIO).

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentleman from New York (Mr. LAZIO) is recognized for 15 seconds.

(Mr. LAZIO asked and was given permission to revise and extend his remarks.)

Mr. LAZIO. Mr. Chairman, I rise in strong support of this terrific legislation.

Let me ask my colleagues for three things: First, let us not destroy the good in the name of perfection; second, let us look at the strong protections

within this bill; finally and most importantly, let us consider our children. Let us leave them something of which we can be proud. Let us make sure we can demonstrate that the spirit of Teddy Roosevelt lives on in this body today.

Mr. Chairman, I rise today in support of CARA. I applaud Chairman YOUNG and ranking member MILLER for crafting this historic piece of legislation.

Mr. Chairman, I stand here today with my two young daughters in mind. As a result of our vote today, they and thousands like them will be able to enjoy the great American outdoors long into the future.

They can expect to enroll their children in little league and find a field available. They can expect to take their kids for a walk in the woods and see the joy on their kids' faces as they spot one of nature's creatures.

I find it fitting that 100 years after my fellow Long Islander, Teddy Roosevelt, put in place the basic elements of our nation's conservation program, today we are continuing the tradition. In TR's time, we declared the frontier closed. Today, we declare it open and available for the enjoyment of our future generations.

My district provides compelling examples of the dire environmental problems that this funding is intended to address. I represent a coastal district. With the funding afforded by Title I, we look forward to working with New York State to clean up the South Shore Estuary.

This enjoys widespread support on Long Island. Cleaning this body of water would be a fitting tribute to the conservation goals of this bill. But for us to realize our goals, we need to respect the delicate balance of the issues this bill addresses.

As we consider this legislation, I ask three things. First, let us not destroy the good in the name of perfection. Second, let us look at the protections within this bill.

Finally and most importantly, let us consider our children. Let us leave something to our future generations which we can be proud. Let us demonstrate that the spirit of Teddy Roosevelt lives on in this body today.

Let us support CARA and let us not support amendments designed to undercut this important legislation. Again, I thank the chairman for bringing this monumental bill forward for consideration.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL), without whose cooperation and reputation the meetings by which this bill emerged probably would never have happened. I thank him for that.

Mr. DINGELL. Mr. Chairman, I thank the distinguished gentleman from California for his kind words.

I want to pay tribute to him for his fine leadership in this matter. This has been a team effort.

I also want to pay a particularly friendly tribute to my old friend, the gentleman from Alaska (Mr. YOUNG), chairman of the committee. He and I have worked together on conservation matters for about 40 years. He has never been found wanting where there was an important, a wise, and a necessary action in the field of conservation.

This body and the Nation owe him a great debt for his wisdom, his balance, his judgment, his courage, and his integrity. I am an admirer of his, and I salute him for what he has done on this matter.

I also want to pay tribute to my good friends, the gentlemen from Louisiana, Mr. TAUZIN and Mr. JOHN, who have done a great deal of work to bring us to where we are.

The gentleman from California (Mr. POMBO) is not always in agreement with us on this bill, but I want to say that he has done a great deal to improve it from the standpoint of the property owners. It is a better piece of legislation from their standpoint by reason of the enactment of this legislation and by reason of the fact that we have worked together.

I want to say a word of tribute to the gentleman from New Mexico (Mr. UDALL), who is the other among us who worked so hard to bring us to where we are.

We have here a good bill. It is a bipartisan bill. It is perhaps the most bipartisan piece of legislation that we will see in this Congress. It is one on which a lot of people have worked together to iron out differences to come forward with a piece of legislation upon which they could agree.

Is it perfect? No. No piece of legislation is. Is it good? Yes. It is better than that, it is very, very good.

I would call the attention of my colleagues to a fact. In 100 years this Nation, at the end of this century, will have 370 million people. We are going to be crowded out at the seams. It is going to be a terrible place if we do not do something to begin to save open spaces, to preserve places where people can recreate and enjoy, and where we can actually say that this generation, who are the conservators of the land for the future and who are the people who are borrowing this land from those who will follow us, have done the job that we needed to do and we should have done to provide for the quality of life which all of us have known as we have grown up and as we have lived here. This is an enormous challenge, but this legislation provides the money in all areas.

I have heard some talk and some complaints about what this is going to do to the West. I do want my colleagues to know that the Western Governors have come out and said something. I want Members to hear it, because they are not people who are not sensitive to the needs and concerns of the people they serve.

Here is what they said at the Western Governors Association, Benjamin Cayetano and Dirk Kempthorne from Idaho, a former colleague of ours in the Senate:

"CARA makes good economic, ecological and political sense. On behalf of the WGA, we urge you to vote in favor of H.R. 701," and a similar statement on behalf of all of the Governors.

I urge my colleagues to endorse this legislation. It is important, it is good,

it is in the public interest, and future generations will thank us.

Mr. Chairman, today is landmark day in the history of American natural resource protection.

Today, we have before us H.R. 701, the Conservation and Reinvestment Act, or "CARA". It is the product of bipartisan cooperation, compromise, and just plain hard work. Writing major legislation is never easy, and I am not aware of any significant environmental bill that passed without rigorous debate. However, I consider it a privilege to stand before you today in the company of my colleagues who have contributed to much of this effort.

Chairman YOUNG deserves our credit and thanks for the courage, strength and leadership he has demonstrated time and again during the past two years. His Ranking Member, GEORGE MILLER, came to the table and found a way to seal and hold the deal. It wasn't so long ago that people said such a deal could never be done. But now that folks on both sides of the environmental movement are finished scratching their heads, they've rallied around CARA because it's needed, it's sound, it's bipartisan, and it's affordable. DON and GEORGE have done a masterful job of holding together the CARA coalition. Their work deserves the support of every member of this body.

I also want to thank the other Members who devoted scores of hours to creating CARA, including Rep. BILLY TAUZIN, Rep. CHRIS JOHN, Rep. BRUCE VENTO, Rep. TOM UDALL and more than 300 colleagues who have ratified our work with their cosponsorship. I also want to thank the many organizations who have endorsed CARA, sent us letters and cards, made phone calls, and made sure that citizens' voices were heard throughout this process. In particular, I would like to recognize for their activist leadership Americans for Our Heritage and Recreation, the Trust for Public Lands, The Nature Conservancy, the International Association of Fish and Wildlife Agencies, the National Recreation and Park Association, the Izaak Walton League, the Sporting Goods Manufacturers Association, The National Wildlife Federation, the Outdoor Recreation Coalition of America, the Wilderness Society, Ducks Unlimited, and the Coastal States Organization for their hard work and dedication throughout this process.

Mr. Chairman, some people will assert that this bill is some sort of "huge federal land grab", that it "breaks the Federal Treasury"; that it "removes local control." Such contentions are nonsense. We do not pretend to have crafted the perfect bill. And I'm certain that there will be good changes made before it is signed into law. My hope is that we resist the temptation to hastily make a good bill perfect, and instead allow the legislative process to do its job.

What does CARA mean for the Nation? It means a renewal and extension of a commitment made by Congress more than a generation ago to reinvest federal revenues from outer continental shelf oil and gas production in our public lands, their maintenance and care. It also means meeting our standing commitment to historic preservation, while making new investments in coastal protection, wildlife, urban and suburban parks, and other modest programs which make will make a real difference when combined with state and local

efforts to make our towns and cities more livable places. Every state benefits greatly by the passage of this legislation. I expect that by the time this legislation is enacted, some states may benefit even more.

CARA is widely backed by thousands of organizations—large and small—and by individuals who care about access to green space and recreation in places near and far from home. Today's Detroit Free Press, representing the views of many positive newspaper editorials around the country, said it best: "For folks who may rarely or never see a monumental piece of national land, it will be like bringing a monument home." To my colleagues who haven't read their hometown papers yet today, I urge you to look carefully. You'll probably find similar sentiments from your own editorial boards which know how much our hikers, bikers, little league players, and their mothers and fathers value the resources CARA will provide.

In my own state of Michigan, we can expect an investment of \$59.9 million each year during the life of CARA (2001–2015). This includes \$19 million for our coasts, \$16 million for the Land and Water Conservation Fund, \$11 million for wildlife, \$5 million for urban and suburban parks, \$2 million for maintaining our public lands, and more than \$5 million to make sure local governments with federal land are helped with any revenue loss through the PILT and Refuge Revenue Sharing programs.

Michigan received 208 acquisition applications totaling \$123 million for the years 1995–1999. Only half of those projects could be funded. For development projects, the record is even worse, with only \$41 million dollars available for \$306 million worth of requests. The Mayor of my largest city, Mayor Michael Guido of Dearborn, made a strong and succinct case in a recent letter to me: "With your leadership, America can begin the 21st Century—as it began the last—in the spirit of President Theodore Roosevelt, with a permanent investment in our nation's parks and natural heritage."

These same sentiments have been expressed by thousands of other mayors, almost all our Governors, our counties, the U.S. Chamber of Commerce. We should pass this bipartisan bill with a resounding vote, send it immediately to the Senate, and let's finish the 20th Century with as strong an action for conservation as that taken by Teddy Roosevelt 100 years ago.

Mr. Chairman, I include for the RECORD the news release and letter from the Western Governors Association:

NATIONAL GOVERNORS' ASSOCIATION,

May 9, 2000.

GOVERNORS URGE STRONG CONGRESSIONAL SUPPORT FOR CONSERVATION LEGISLATION

Washington, D.C.—The nation's Governors today called on the U.S. House of Representatives to overwhelming support landmark conservation legislation, H.R. 701, the Conservation and Reinvestment Act (CARA) of 1999. This bill would invest approximately \$3 billion annually in state, federal, and local conservation programs such as coastal impact assistance and conservation, the Land and Water Conservation Fund, wildlife conservation and restoration, and the Urban Park and Recreation Recovery Program.

"This legislation is one of the Governors' top priorities," said NGA Chairman Utah Governor Michael O. Leavitt. "Its passage will provide us with a stable, long-term source of funding for vital conservation ef-

forts. More important, it will strengthen Governors' efforts to protect our natural treasures, for our children and for future generations. We urge the House to strongly support CARA and send it to the Senate for quick action."

On May 8, the nation's Governors sent a letter to all House Members urging them to vote for this bipartisan bill, saying: "The Governors are united in our belief that when nonrenewable resources belonging to all Americans are liquidated, some of the proceeds should be reinvested in assets of lasting value."

More than \$4 billion in royalties from oil and gas leases on the outer continental shelf (OCS) are paid into the federal treasury every year. CARA would use a portion of those funds for their intended purpose: to invest in state conservation activities. Congress has not appropriated funds from OCS revenues to the states for many years. In particular, CARA includes \$450 million per year for the statewide Land and Water Conservation Fund.

H.R. 701 would provide funding for the following programs, on an annual basis:

Coastal Impact Assistance—\$1 billion;
Land and Water Conservation Fund—\$900 million;
State Wildlife—\$350 million;
Urban Parks—\$125 million;
Historic Preservation—\$100 million;
Federal and Indian Lands Restoration—\$200 million;
Conservation Easements and Endangered and Threatened Species Recovery—\$150 million.

WESTERN GOVERNORS' ASSOCIATION,

May 9, 2000.

DEAR WESTERN HOUSE MEMBER: We urge you to support passage of HR 701, The Conservation and Reinvestment Act (CARA), when the full House of Representatives considers the bill this week. The bill takes a long step toward fulfilling many of the Western Governors' Association's longest held policies, and, therefore, is one of the most important bills to come before the second session of the 106th Congress.

Enactment of CARA is the single most effective step Congress can take to stem the growing need to list declining species under the Endangered Species Act. HR 701 offers the diverse interests of our states and communities the non-regulatory tools they need to collaboratively conserve fish and wildlife and the habitat the species depend upon before the restrictions of the ESA force desperate and far more costly attempts to reverse their decline. The governors have noted since 1992 that insufficient funding has prevented effective implementation of the ESA. Title VII enables landowners to be effective stewards even when the agricultural economy is in a downturn. And, Title III will finally enable the federal government to help states implement the pro-active conservation strategies that they have been carrying out, for the most part, on their own.

CARA invests in conservation by permanently appropriating a portion of the wealth the nation derives from its depletion of non-renewable resources. HR 701 invests in coastal conservation and impact assistance, which the WGA has advocated since the last 1980s. The bill also directs these revenues to county payments-in-lieu-of-taxes; open space; farm, forest and ranch land; historic preservation; recreation; and federal, state, and local parks. These permanent appropriations should be offset in a manner that follows sound public policy and not with reductions in other vital state interests, public service and environmental protection.

Of particular note, the bill brings the state and federal side of the Land and Water Con-

servation Fund (LWCF) into balance, following years of neglect of the 50 percent matching grants program. Western governors have sought this change since 1991. As the same time, Title II would provide private property owners with protections that do not now exist when Congress and federal agencies set priorities each year for the federal side of the LWCF. The title also requires federal agencies to consider easements and land exchanges as an alternative to acquisition. It protects state water rights and places priority on addressing the needs of inholders.

CARA makes good economic, ecological and political sense. On behalf of the WGA, we urge you to vote in favor of HR 701.

Sincerely,

BENJAMIN J. CAYETANO,
Governor of Hawaii,
Chairman.

DIRK KEMPTHORNE,
Governor of Idaho,
Vice Chairman.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

(Ms. ESHOO asked and was given permission to revise and extend her remarks.)

Ms. ESHOO. Mr. Chairman, I thank the ranking member for yielding time to me.

Mr. Chairman, let me just summarize what I have in my prepared statement today. I think the Congress has an historic opportunity today to pass this superb piece of legislation. I think that when we do, that it will be placed right next to the import of the Clean Air Act and the Clean Water Act in terms of its effect for our great Nation.

The Land and Water Conservation Fund has done many great things for our country, but Congress really gave up on its promise. This is a renewal today of what we promised a long time ago. We will have the funds to protect, to preserve, and even the naysayers will be able to take their children and their grandchildren to the open spaces, to the parks, and to the lands that are going to be set aside for the betterment of humankind in our country.

I think this is an enormous step that the Congress is taking today. I urge my colleagues to support it. Every part of this bill really speaks to the values that the people that I represent hold.

I want to pay special tribute both to the chairman of the full committee and to the individual that we like to call our golden bear with a heart, the gentleman from California (Mr. GEORGE MILLER). We thank them for their superb work. I urge Members to support the legislation.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DOOLITTLE).

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have profound regard for our chairman and for all the members of our Committee on Resources, but give me a break. We already have one-third of the entire land

base in the country owned by the Federal government. Now they are asking us to appropriate \$900 million or more annually to buy more of it.

We are not good managers in the Federal government of the land we already have. There is a \$12 billion backlog in maintenance already. I ask Members to visit their National Parks and check out the condition of some of the facilities. Whenever we raise this with the Park Service bureaucrats, the answer we get back is, oh, gee, we do not have enough money. Now we are going to give even more money to buy more land.

This bill does put some money in for maintenance, that is true, but it puts nearly three times as much money into new land acquisition. Once that land is acquired, it has to be maintained. We are doing a terrible job of that as a Federal government.

One illustration, the General Accounting Office said that there are 39 million acres of Forest Service land that are at extreme risk of catastrophic forest fire. That is because that land is not being managed properly. Now we are going to add to the general burden all of this new land that we are bringing into it.

We used to talk about the idea that we ought to have no net gain in acquisition of land. If we are going to acquire some sensitive land, then we ought to divest ourselves of other lands of equal value. Instead, we are setting up a system that is biased in favor of more land acquisition, and instead of being one-third of the land mass, we are going to see this amount steadily creep up.

I think we are going in the wrong direction. For that reason, I am going to have to oppose this bill, and urge my colleagues to do likewise.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in yielding time to me.

Unlike my friend, the gentleman from California (Mr. DOOLITTLE), the public sets a very high priority on the protection and public maintenance of our green infrastructure.

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The gentleman from Michigan (Mr. DINGELL) had it right. We are losing the battle and we do not have to wait until the turn the century and the doubling of our population. Between 1992 and 1997, we lost 16 million acres, an area approximately the size of West Virginia, to development. The public is starting to move at the State and local level. They passed 379 initiatives for over \$8 billion in the last 2 years. It is time for the Federal Government to do its part being a better partner in that process.

The funding of CARA is a good start with historic preservation of urban parks, Native American land and allo-

cating \$150 million to conservation easement and species recovery. These long-term investments will add valuable to our communities. They are, in fact, financed on just the interest on the \$13 billion in the trust fund right now.

Mr. Chairman, it is time for the Federal Government to be a better partner for liveability. The passage of this bill is a good start.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. BALDACC) who has been waiting so patiently.

Mr. BALDACC. Mr. Chairman, I thank the ranking member for yielding me the 1 minute.

Mr. Chairman, I would like to thank the gentleman from Alaska (Mr. YOUNG), chairman of the committee, for crafting such a fine piece of legislation and for working with the ranking member and the other people here in the Congress, because this certainly is landmark legislation.

I am very pleased to support this. I am very pleased to cosponsor this. This is going to make a tremendous impact in Maine. We have been looking at this legislation and, given Maine's heritage of outdoor recreation, its efforts of resource conservation and its belief in property rights, I have carefully reviewed this legislation to ensure that it meets the needs of the State and its people.

Mr. Chairman, as a good friend of mine, George Smith, who heads up the Sportsman's Alliance of Maine said and observed that, "This could fund conservation easements that keep our lands intact, undeveloped and available for hunting, fishing and other recreational uses while still productive, in private hands, and on the tax rolls. That's a win-win situation for everyone."

Mr. Chairman, I would like to thank the gentleman from Alaska (Mr. YOUNG) for his hard work and working with the gentleman from California (Mr. GEORGE MILLER), our ranking member, and others to craft this landmark legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, I rise as a proud cosponsor of H.R. 701. This bill will improve funding for conservation programs by purchasing and protecting environmentally sensitive lands as well as other conservation and recreational programs.

This bill will provide \$141 million annually to the State of Florida and many of the funding initiatives in this bill, such as the park acquisition and maintenance and urban recreation, will have a great impact on Florida and my district. This is extremely important to Florida's environment and is critical for preserving places like the Timucuan Preserve in Jacksonville, which is a legend of the work by my predecessor, Charlie Bennett.

Mr. Chairman, I know there are critics out there, but this bill is necessary for places like Florida that have precious ecosystems that need to be preserved in a period of extreme urban growth. Our local and State governments in Florida have made a great effort toward preserving our sensitive land, and this bill will be an enormous benefit for all of us. These monies will also allow us to promote assets such as urban fishing to serve ethnic and minority populations that would not have the resources to reach out in the past.

Mr. Chairman, this is an important bill and I urge my colleagues to vote for it.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time.

Mr. Chairman, I rise in support of H.R. 701. I have the privilege in the House of serving as the cochair of the Congressional Sportsman Caucus, and one of the things that we do is we watch out for conservation and hunting and fishing legislation in this Congress.

This is a bill that is a good bill, and I commend the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) and all of the others for the hard work in putting this together.

In Minnesota, before I was in the Congress, I had the opportunity of serving on a similar committee in Minnesota. We have a permanent source of funding in Minnesota similar to what we are doing here today. It works, and we are known in the country as one of the places where we have great conservation and hunting and fishing. This is going to do the same thing all over the country.

This is the right thing to do. It is not perfect. All of us would like to see other things in it, but it is a great piece of legislation and our kids are going to thank us for it. I ask everyone to support H.R. 701, and I commend everyone for working on the legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOFFEL).

Mr. HOFFEL. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time.

Mr. Chairman, I rise in strong support of the Conservation and Reinvestment Act. I compliment the gentleman from Alaska (Mr. YOUNG) and the gentleman from California, the ranking member, for their leadership.

Mr. Chairman, it has been said that if we restore a river, we restore the community. I believe it is also true if we save open space, we save the soul of a community. We save the quality of life of that community.

It is happening around this country. It is happening in a bipartisan fashion.

My predecessor in this job, John Fox, and I served together, before either one of us were Congressmen, as county commissioners in Montgomery County, Pennsylvania. We started an Open Space Program that is still going strong in Montgomery County. The capital budget in my county this year, 25 percent of it is dedicated to buy open space. In Montgomery County, there is a Schuylkill River Greenway Association trying to restore the Schuylkill River to create recreational paths, greenways, to create parkland along the river, and to encourage retail and residential use of the river.

These are appropriate and important things for us to do, and this bill continues our dedication to environmental protection.

Mr. GEORGE MILLER of California. Mr. Chairman, if I might inquire as to the time remaining.

The CHAIRMAN. The gentleman from California (Mr. GEORGE MILLER) has 8½ minutes remaining. The gentleman from California (Mr. POMBO) has 2 minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT), a member of the committee.

Mr. HOLT. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time, and I too want to add my applause to the gentleman from Alaska (Chairman YOUNG) and the gentleman from California (Mr. GEORGE MILLER), the ranking member, for putting together such an important piece of legislation.

Across this great Nation, sprawl is crowding our streets, destroying our open spaces, polluting the air we breathe and the water we drink. Almost all of America is experiencing remarkably similar patterns of growth, a rapid conversion of farmland and open space to a dizzying array of housing subdivisions, shopping centers and office parks.

In New Jersey, the State and most of the towns in my district have made a commitment of tax dollars to acquiring open spaces. In New Jersey we have 8 million people living in just 8,000 square miles. Conversion of farmland and open space to development has doubled in recent years.

Mr. Chairman, it is clear that now is the time to make open space preservation a national priority to protect the American ideal of wide-open spaces. The need to preserve goes beyond the supply of State and local funds, and that is why we need to pass the Conservation and Reinvestment Act, the most sweeping commitment to the protection of America's public land, marine and wildlife sources in over a generation. This is important legislation. We need it.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM).

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time, and I rise in opposition to H.R. 701.

Mr. Chairman, all members who care about fiscal responsibility should oppose this legislation on budget grounds alone. It continues the dangerous trend of putting more and more spending on automatic pilot outside the regular appropriations process.

According to the Congressional Budget Office, H.R. 701 would increase mandatory spending by \$7.8 billion over the next five years without offsets as required by our budget rules. The spending in this bill places yet another claim on the projected budget surplus before we have established a plan to pay off our debt and deal with the challenges facing Social Security and Medicare.

While I commend the gentleman from Alaska and California for doing something about the lack of resources for things like coastal restoration and preservation of our historic treasures, I am also disappointed by the way they're gone about providing funding for these areas. By providing a mandatory spending stream outside of the appropriations process, we're shortchanging important conservation work, not to mention other priorities such as prescription drug coverage, veterans' healthcare or rural development funding.

For those of you who want more acreage in the Conservation Reserve Program and the Wetlands Reserve Program, you're made that even harder by taking this money out of the normal appropriations process and ensuring that the programs funded by H.R. 701 receive a higher priority than CRP or WRP.

You've also ensured that the 1500 small watershed projects needing nearly \$1.5 billion in funding will continue to wait. Not to mention diminishing the chance of providing discretionary funding for the needed \$500 million in rehabilitation work on existing PL-566 structures.

For those of you who've sent letters to your constituents telling them that you'll be working for more funds for the Environmental Quality Incentives Program (EQIP), you'll have to change that response if you support H.R. 701. The agriculture subcommittee once again limited the amount of funding available in EQIP to provide spending for other agriculture programs as they struggle with unrealistic spending allocations.

I appreciate that the Chairman and Ranking Member of the Resources Committee were able to accommodate the Agriculture Committee's concerns about establishing a new conservation easement program at the Department of the Interior instead of utilizing the existing Farmland Protection Program. The Farmland Protection Program operated by the Department of Agriculture's Natural Resources Conservation Service and provides funding to state programs designed to protect cropland, pastureland, rangeland and forestland from conversion.

I remain concerned however that we could not convince the Resources Committee to provide assistance to the Wildlife Habitat Incentives Program (WHIP), another existing program within the Department of Agriculture that has exhausted its funding. I remain skeptical

about the potential landowner interest in the new "Endangered and Threatened Species Recovery" program created in title seven of H.R. 701.

As I said earlier, I applaud the gentlemen from the effort they've made to address some serious unmet needs—needs that have not been discussed and prioritized because of a lack of leadership in putting our fiscal house in order. However, I cannot condone the means they have used to address the funding challenges facing us.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO), a member of the committee.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time.

Mr. Chairman, until tonight, Congress, for more than a decade, has diverted much of the money that should have been spent on land and water conservation purposes from offshore oil royalties into virtually every other function of the Federal Government. Tonight that all changes.

This is a new commitment by this Congress in a grand bipartisan way to concerns that many of us share about our precious environment, the protection of open spaces, and the extraordinary resources that we have in this country.

The administrative costs are unbelievably low. We will hear a lot of distorted things about that later. Less than 2 percent. That is great. And there will be no taking of property without just compensation. We will hear more about that later from those who will allege otherwise.

Mr. Chairman, this is a great bill for the States, for the country, for my State, which will get more than \$50 million a year to help us take care of our endangered species problems with salmon, salmon restoration, and other preservation of open spaces in a rapidly growing State.

This is a great night for the United States Congress and one of those rare nights where I am especially proud to serve here.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, throughout the history of our Nation, our elected officials have recognized when it is time to set aside specific philosophical differences and act in the best interests of the public with regard to our precious natural resources. Whether we have been inspired by conservationists such as John Muir or led by visionaries such as Theodore Roosevelt, we have always managed to meet the next step in the challenge to protect our land and to ensure that our children can enjoy a clean and healthy environment.

And now, another one of those landmark moments is upon us, and I am glad to see that the House is responding with the Conservation and Reinvestment Act of 2000. Many of my colleagues have already, and will continue

to talk about the provisions in the bill that will benefit generation after generation of Americans. My home State of Massachusetts will receive millions of needed dollars for vital Land and Water Conservation Fund projects as well as urban parks and recreation programs.

Upon final action by the Congress on this legislation, we will finally support with a meaningful commitment a significant increase in efforts to restore and protect precious coastal habitats and wetlands. Certain refinements may be necessary as this bill continues through the legislative process, but I am sure we will do that by making sure that the Department of Commerce is included as a participant in the management of the funds.

Mr. Chairman, I commend both the gentleman from Alaska (Chairman YOUNG) and the gentleman from California (Mr. GEORGE MILLER), the ranking member, for the fine work they have done, and I urge passage.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I gratefully rise today on behalf of my constituents in the 9th Congressional District of Illinois in strong support of H.R. 701.

Anyone who has spent even one day in Chicago when the weather is decent, and it is often, cannot help but notice how much we enjoy every square inch of parkland, beaches, and green space. CARA will enable the Chicago Park District to do even more to improve the quality of life in Chicago.

For example, the Chicago Park District possesses over 200 field houses. Many of these buildings are large structures of great historic significance. CARA funds would help preserve many of these structures and make them more accessible.

Chicago's park system also provides employment opportunities, youth recreation-as-prevention initiatives and after-school programs for the city's children. Under CARA, Illinois will receive over \$55 million in total funding annually, which, when matched and leveraged, equates to increased funding many times over.

Mr. Chairman, the time is now to advance this bill and reinvest in our quality of life for generations to come. I commend the sponsors of this legislation and urge my colleagues to support it.

Mr. GEORGE MILLER of California. Mr. Chairman, could the chair inform me how much time we have remaining?

The CHAIRMAN. The gentleman from California (Mr. GEORGE MILLER) has 4½ minutes remaining. The gentleman from California (Mr. POMBO) has 2 minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, a further inquiry, if I might. Could the chair tell us, my plan is to yield myself 2½ minutes, yield 2 minutes to the gentleman from Alaska

(Mr. YOUNG), and then the gentleman from California (Mr. POMBO) has 2 minutes, I believe. Is that right? So how do we go in order here?

The CHAIRMAN. Is the question directed to closing statements?

Mr. GEORGE MILLER of California. Yes, thank you.

The CHAIRMAN. The order will be the gentleman from California (Mr. POMBO), the gentleman from California (Mr. GEORGE MILLER), and the remaining time to the gentleman from Alaska (Mr. YOUNG). Is the gentleman yielding some of his time?

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG) to use as he chooses, and he can close.

The CHAIRMAN. Then, without objection, the time has been transferred to the gentleman from Alaska (Mr. YOUNG), and the gentleman from California (Mr. POMBO) can begin his closing statements.

There was no objection.

Mr. POMBO. Mr. Chairman, I yield the balance of our time to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman from California (Mr. POMBO) for yielding this time to me.

Mr. Chairman, we have heard much said on this House floor about all the protections of private property rights. Let me just read from the bill exactly what is going on with our private property rights.

Yes, there is a savings clause that says that if property is going to be taken, it must be condemned. But it also goes on to say that no regulation may be applied on any lands until the lands or water or interests therein is acquired, comma, unless authorized to do so by another Act of Congress.

□ 1830

So we are funding these other acts of Congress for acquisition. Acquisition. The word "acquisition" appears 20 times in this bill. In addition, there is \$100 million to start with set aside every single year to buy up farmland. Indeed, that money does not go directly to pay farmers for their farm. Actually, the Secretary provides this money in matching grants to eligible entities to facilitate their purchase of some other guy's farm or permanent easements on those farms. It is just the plain wording in the bill.

Do not tell me it protects private property. It does not. In addition to that, eligible entities can be the following, State or local governments, Indian tribes, or any organization that is organized for conservation purposes under 501(c)(3) or any entity that is controlled by one of these 501(c)(3)s. These are the guys that can get the money to buy one's farm.

Now, the last thing we need to do in America is take more farmland out of production.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Idaho has expired.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I ask unanimous consent for one more minute.

Mr. GEORGE MILLER of California. Mr. Chairman, I object.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. POMBO) has expired. The gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) has no time remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank all of the Members who have participated in this general debate. I think what is evolving is a picture of maybe legislation that speaks to the best of this Congress. The gentleman from Alaska (Mr. YOUNG) has said it, a number of other people have talked about it in terms of conservation, this is about the conservation of our fish and wildlife, of our wild areas in this country, of open space in our suburban communities, of farmland.

Interestingly, this also takes care of some of the values that we have heard about on this floor now for a number of years. Remember the discussion about devolution. The fact of the matter is, in title 3 of this legislation, the State and local agencies has spent that money. The Pittman-Robertson money is spent by State and local agencies. The State side Pittman-Robertson is spent by State and local agencies. The UPARR is spent by cities and counties. Coastal impact is by States, cities, and counties. The farmland Pittman-Robertson is by States and local.

The fact of the matter is what this bill is about is giving local communities the resources and the ability to deal with the problems they confront because of the tremendous growth in this country. In my area and the area of the gentleman from California (Mr. POMBO), we have cities that are springing up in dramatic rates, and they are crowding up against farmland.

Farmers who want to continue to farm want to keep their orchards, want to keep grazing cattle. Maybe now we can allow them to stay in business if the local cities and counties and organizations want to provide them Pittman-Robertson for the easements to do that, the development rights so they can continue to farm, they can continue their orchards, they can continue their cattle.

That is what this legislation is about. It is about the great heritage of this country. People from all over the world, people from all over the world come to see the great assets, the environmental assets, the Grand Canyons, the Tetons, the Everglades, Glacier National Park, the shorelines in California and in New York and Long Island.

These are great attractions, but they are under pressure, and legislation is designed to deal with that. The vast amount of this Pittman-Robertson is to empower communities and local organizations to improve the quality of life for their citizens.

We should support this legislation. It is a bipartisan effort in the biggest sense of the word. When one looks at the various viewpoints of the Members who are supporting this legislation, when one looks at our history, when one looks at our ideology, the fact that we can come together and understand how to do this right, how to enhance the protections for private property, how to enhance the roles for local government, how to enhance the roles for private organization to participate where the Federal Government just irritates people, but local organizations and community groups are able to talk to those individuals about the futures of those communities.

So I would hope that Members would support this legislation. Again, I want to thank all of the Members who participated in this debate on both sides.

Mr. Chairman, I rise in strong support of a carefully crafted, bipartisan, consensus bill that will redeem America's promise to protect its public lands, coastlines, marine and wildlife resources and recreation opportunities for generations to come.

CARA is, without question, the most important resource protection and management bill to come before the Congress in a generation. I salute the chairman of the Resources Committee, DON YOUNG, for his leadership and his fortitude in developing this legislation, often in the face of fierce—and unjustified—criticism within his own party and from traditional supporters.

This is not just an "environmental" bill; it is a bill that has earned the cosponsorship of 316 Members of the House, 50 Governors, and scores of State and local legislatures, and the enthusiastic backing of a national grassroots coalition that encompasses the Conference of Mayors, the National Governors' Association, the Western Governors' Association, the National Association of Counties, National League of Cities, and the Environmental Council of the States. In short, everyone from the Sporting Goods Manufacturers Association to the American Canoe Association, American Farmland Trust, Americans for Our Heritage and Recreation, the National Association for African American Heritage Preservation, the National Soccer Coaches Association, the Rails-to-Trails Conservancy, police organizations, and wildlife and hunting groups.

The list of endorsements, in fact, fills volumes.

Those diverse interests do not often agree on a piece of legislation. For that matter, DON YOUNG and I do not often agree on legislation. But we agree on the urgency of the CARA bill. And here is why.

Time is running out for many of America's resources. Whether farmland or national parks, our coasts or our recreational sites, our wildlife or marine creatures—we simply have not accorded them the priority they deserve or that the American people support. In polls conducted by the respected Frank Luntz firm, majorities of 80 to 90 percent support full funding of the Land and Water Conservation Fund and other resource priorities—East, West, North, and South; conservative and liberal alike.

That support is reflected in the broad endorsement of this bill in the national press. Here are just a few recent examples:

Congress has habitually reneged on fully appropriating the money, though it has long been intended for environmental concerns.—*Atlanta Constitution*, May 9, 2000.

Reclaim this opportunity to enhance the nation's quality of life. It is past time for Washington to live up to the bargain with the American people—and their natural resources—that Congress made in 1964. The Miller-Young bill would do just that. The House should accept no substitutes or weakening amendments. A deal is a deal—and the Land and Water Conservation Fund is a particularly good one.—*San Francisco Chronicle*, May 8, 2000.

The Conservation and Reinvestment Act . . . would benefit Americans ranging from soccer players to farmers threatened by development.—*USA Today*, May 8, 2000.

A bill that could dramatically strengthen the protection of America's natural resources.—*New York Times*, January 10, 2000.

CARA will "dramatically increase federal spending on outdoor-recreation facilities and safeguarding the environment"—*Christian Science Monitor*, May 9, 2000.

Additional editorials have appeared just this week across the country—the *Atlanta Constitution*, the *Oregonian*, the *San Jose Mercury*, the *Providence Journal*, and the *Mobile Register*—endorsing this historic legislation.

We know our parks are under development pressure, our after-school recreational programs insufficient, our wildlife stressed, our coasts in peril: the American people want Congress to act, and act decisively.

But Congress has failed to act, and the cost of that failure is the degraded heritage we might pass on to future generations of Americans if we do not pass CARA. That is a price too high to pay.

Thirty six years ago, the Congress promised the American people that we would share the revenues generated from offshore oil development with the resources onshore. We created the Land and Water Conservation Fund, and we promised it \$900 million a year from OCS revenues. But we reneged on that promise and instead of investment, we have a \$13 billion deficit in the LWCF account. The OCS revenues continue to roll in; but they bypass our resources, and they betray the promise.

CARA gives this Congress the opportunity, on a rare bipartisan basis, to honor the pledge made over three decades ago. Is it expensive? Yes. But not as expensive as losing the land, water, recreation, wildlife and coastal resources of our nation which will be permanently and irreparably lost if CARA is not enacted.

If you merely took the \$13 billion LWCF was promised by the Congress but never received, adjust for inflation and interest, the debt due our resources is far more than what CARA proposes to expend. Our goal is to provide that money, with certainty, so that federal, state and local planners, together with private citizens, foundations and grassroots organizations, can make those investments without fear for the second-class treatment we have devoted to our resources in recent years.

And I would add: we do not allocate this money by raising or by charging fees to those who use these parks and other public resources. The money comes from where it has always been intended to come from: offshore development.

Now, as Chairman YOUNG has noted, this bill was very carefully constructed by a bipartisan team to reflect a balanced program. No one got everything they wanted; and we re-

mained united in the Resources Committee against those who sought to upset that careful balance. As a result, the bill before you today reflects a measured, but decisive, initiative that deserves the support of the House.

The manager's substitute that Chairman YOUNG will offer on behalf of the bill authors makes a number of changes to the bill as passed by the Resources Committee, many of them technical in nature, that were discussed with the Interior Department and other portions of the Executive Branch. We also agreed to delete a section that placed this bill "off budget."

In addition, we have successfully developed an amendment with Congressmen BOEHLERT, MARKEY, and PALLONE that remedies some remaining concerns about incentive for offshore oil development, uses of title I impact funds, and authorizes a competitive grant program to address multistate conservation concerns. I appreciate the hard work of those Members in resolving these issues satisfactorily, and am grateful for their support for the bill.

It is my hope that the bill will be approved by the House as supported by the bipartisan coalition that crafted this compromise and by hundreds of organizations located in every congressional district in the nation. This surely is, as the League of Conservation Voters recently stated, "arguably the most important piece of environmental legislation this session of Congress." It enjoys massive support in virtually every Congressional district in the Nation. Your constituents want this bill passed, but they want more than just your vote on final passage.

There are going to be many efforts to amend this bill. Some are sincere efforts to improve the legislation; some are "poison pills" designed to destroy it. While I could support some of these amendments, I am not going to do so if it fractures the massive coalition inside the Congress and across this country that has labored and sweated and battled for years to get this bill passed. This bill is more important than any amendment; and some of these amendments, make no mistake, are designed to destroy the bill or make it completely ineffectual.

So I ask my colleagues today to honor the years of work, the hundreds of thousands of hours of effort that have gone into the careful crafting of this legislation, and oppose amendments. Trust your constituents on this one. Resist the rhetoric. Redeem the promise. And pass CARA—clean, effective, and by a huge margin.

Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG) for purposes of control.

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I rise in strong support of the Conservation and Reinvestment Act.

CARA will provide important environmental and conservation benefits to my state of New Hampshire and to the country as a whole. By making good on the promise to fully and permanently fund the Land and Water Conservation Fund, our National Parks, Forests and Wildlife lands will be protected. New Hampshire boasts THE most heavily visited National Forest in this country—the White Mountain National Forest—in addition to critical resource

areas like Lake Umbagog National Wildlife Refuge. In addition, CARA provides funding for other important programs such as the Forest Legacy Program, Farmland Protection Program, the Urban Parks Resource and Recovery Program, and matching grants for state and local outdoor recreation projects.

New Hampshire needs this help, to meet the conservation challenges we face.

Several Members will be offering amendments to put this bill on hold for the next five years, so that it doesn't put any strain on the budget resolution we passed earlier this year. I will oppose that amendment, because the programs in CARA should be a priority, and because we should work to put it in our budget. We will have the opportunity to do that, in our negotiations with the President on reconciliation legislation, and in reviewing the new economic information that will come before us, and we should take advantage of that to find the resources to accomplish what Chairman YOUNG has set out to do.

Amendments to put this bill on hold for 5 years mean one thing—no additional investment for 5 years. And I know that many precious places we have the opportunity to save today will no longer be there in 5 years. And I know that those that are still there will cost us twice as much as they do today.

I don't want a bigger government. I don't want more government employees. I want to invest Federal dollars in land and wildlife resources that will yield benefits to New Hampshire and the country in perpetuity. Right now, Congress has an historic opportunity to pass landmark conservation reinvestment legislation to preserve America's natural heritage and protect America's quality of life for future generations. The Conservation and Reinvestment Act (CARA) is supported by the nation's governors, mayors, county officials, conservation and wildlife organizations, sportsmen's groups, park and recreation advocates, business and industry groups, historic preservationists, soccer and youth sports organizations and more than two-thirds of my Republican and Democratic colleagues.

Unfortunately, the unique opportunity we have today in Congress to enact this landmark legislation is being threatened by a series of amendments that would undo this historic bipartisan agreement. Let's not do that. Let's pass H.R. 701.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself the remainder of my time. Mr. Chairman, I want to thank those that participated in the debate, those for and against this legislation. There is a lot of concentration on the first part, the Land and Water Conservation Fund. But there are six other parts of the bill that mean a great deal. Wildlife conservation, which is really my sweetheart; urban park and recreation, very important to urban areas; historic preservation, if one does not know one's past, one will never know one's future; Federal and Indian lands have been destroyed by this government that need restoration; conservation easements. The gentleman from California mentioned this.

I have my brother in California. I have people in California who want to

farm that are actually threatened by the growth of the communities that, under the easement program, can still farm and keep that land for open spaces so people could enjoy it, yet he could have his livelihood.

We have payment in lieu of taxes, fully funded, the payment in lieu of taxes. Those are the things that are in this bill besides that second title. But keep in mind it is my true belief that, under my bill, there is a much better protection for private property owners under our legislation than in existing law.

Last year alone, this Congress spent \$480 million to purchase land with no input from authorizes in the Congress, with no identification to the seller of the land, unwillingly, using condemnation. Under my bill, none of those things can occur.

So keep in mind, if my colleagues want to protect private property, they should be voting for this legislation. But beyond that, as the gentleman from California had mentioned and other people have spoken to, this is a changing society. If we do not keep those open spaces, if we do not have the farmers available who can keep their lands, we will lose that. We will not have the species which we are trying to protect under the Endangered Species Act.

There is so much in this bill for the future that we ought to consider the long haul, the long gain for the betterment of our society.

I am the Private Property Owners Award recipient all my years in Congress, and I still am rated 91 percent because I believe in it. But this bill does not hurt private property owners. It helps them, and it helps this Nation's future.

Mr. POMEROY. Mr. Chairman, today I support H.R. 701, the Conservation and Reinvestment Act (CARA) introduced by House Resources Chairman DON YOUNG and Ranking Member GEORGE MILLER. This legislation has been referred as "the most comprehensive conservation and recreation legislation the Congress has considered in decades and provides permanent funding for valuable conservation and recreational opportunities that will benefit the lives of all Americans."

The legislation establishes a permanent, automatic funding mechanism that channels the revenues from off-shore oil drilling royalties to numerous federal and state land and resources conservation programs. Also, the bill establishes a new fund—the Conservation and Reinvestment Act Fund or "CARA Fund"—within the Department of Treasury to be used for various conservation, resource protection, and recreation programs.

The cornerstone of funding for the legislation is derived from the royalties received from outer-continental shelf (OCS) drilling in conjunction with establishing a new fund to help coastal states mitigate the various impacts of offshore drilling and other OCS activities, which will generate revenues of \$1 billion annually. Moreover, the legislation directs \$900 million annually in guaranteed funding from the CARA fund to the Land and Water Conservation Fund (LWCF), dedicates \$350 mil-

lion annually for the CARA fund to the existing Pittman-Robertson wildlife conservation and restoration program, provides \$125 million annually from the CARA Fund to the Urban Park and Recreation Recovery Program, distributes \$100 million from the CARA fund annually to the Historic Preservation Fund, provides \$200 million in annual mandatory funding for a coordinated program on federal and Indian Lands Restoration, and allocates \$150 million in Conservation Easements and Endangered and Threatened Species Recovery.

In my home state of North Dakota, CARA has huge, positive impacts for our rural communities to the amount of nearly \$15 million annually. According to the North Dakota State Park and Recreation Department, H.R. 701, provides North Dakota with the opportunities to provide for local communities to maintain and improve their conservation and recreation bases that need much needed assistance.

I realize that some of my colleagues have raised concerns regarding private property provision in CARA. Throughout my time in Congress, I have worked to protect the private property rights of all citizens. I am pleased that CARA has provisions in it that specifically stipulate that the federal government is not authorized to take private property without just compensation and that federal agencies may not regulate any lands until they are acquired. In fact, in North Dakota, the State Park and Recreation Department requires all state agencies to comply with regulations assuring local and state support before land is acquired.

Mr. Chairman, I am pleased to join the National Governors' Association, the U.S. Conference of Mayors, the National Association of Counties, and more than 300 of my bipartisan colleagues in support of this comprehensive, historic legislation.

Mr. BENTSEN. Mr. Chairman, I rise in strong support of H.R. 701, the Conservation and Reinvestment Act of 1999. I, like more than 300 of my Democratic and Republican colleagues, cosponsored H.R. 701 because it enhances existing environmental policy and promotes the open space conservation and recreation needs of the American people.

First, I must commend Representatives GEORGE MILLER and DON YOUNG on crafting this remarkably bipartisan legislation. This measure establishes \$3 billion in mandatory spending, a reliable infusion of funding for new and existing conservation programs. H.R. 701 wisely creates a permanent stream of matching funds for states to both support and expand their land conservation and preservation efforts.

Specifically, under this bill, approximately 60 percent of the nearly \$4 billion in annual revenue collected from federal offshore oil and gas production leases would be returned to state and local governments for land conservation. This legislation would make the relationship between offshore energy extraction and coastal states similar to existing programs that provide funds to communities in which resources are extracted from federal lands. Under this measure, the largest proportion of funding would be equitably applied toward energy impact assistance in coastal states and those states directly affected by offshore development.

As a representative from the Texas Gulfcoast, I am dedicated to coastal conservation. CARA provides an unprecedented opportunity to improve state and local governments'

efforts to safeguard their coastlines. CARA would invigorate the now dormant funding stream for the federal Land and Water Conservation Fund (LWCF), proactively protecting wildlife. Moreover, its encouragement of private land stewardship, which protects the vast majority of wildlife habitat, is especially meaningful in a state like Texas, whose lands are predominately privately owned.

Moreover, CARA is important to the State of Texas where only three percent of all land is public. A 1999 survey performed by the U.S. Department of Agriculture documented that Texas led the nation in loss of undeveloped land from 1992 to 1997. H.R. 701 recognizes this fact and provides funding not only for specific conservation and recreation programs but also for federal and state land acquisitions. The bill employs an extraordinarily balanced approach to land acquisition for preservation and conservation under which private property owners are given strong protections. H.R. 701 provides a strong preference for willing seller transactions.

Mr. Chairman, I would also note that in addition to focusing on preservation of our nation's open spaces, CARA provides \$100 million for states to administer numerous historic preservation programs under the Historic Preservation Act.

Mr. Chairman, I urge my fellow colleagues to join me in supporting H.R. 701. This historic legislation creates a significant commitment to preserve open spaces, parks, wilderness and coastal areas, directly enhancing America's environmental quality of life and ensures the long-term preservation and enjoyment of our natural world for future generations.

Ms. JACKSON-LEE of Texas. I rise in support of this bipartisan legislation. I commend my colleagues for establishing a permanent, automatic funding mechanism for land acquisition for conservation purposes. It utilizes revenues from offshore royalties to numerous federal and state land and resources conservation programs.

The philosophy of using this money for building parks and preserving natural areas and wildlife remains as sound today as it was when the fund was created. Giving protected budget status to the Land and Conservation Fund would mean that this money—generated from the government's oil and gas leases—could be allocated without requiring annual congressional approval.

We must take this action because the fund is authorized to receive \$900 million each year, but since its inception Congress has diverted much of that money for purposes other than conservation and recreation.

The interest in preserving open space could not have come at a better time. According to a new comprehensive survey of American biological diversity conducted by the Nature Conservancy, the United States provides habitat for more than 200,000 native species of plants and animals. At the same time, commercial and residential development are placing those species under continuing pressure. Americans understand how precious the habitat remains across our nation.

To most Americans, this legislation will extend our nation's and Texas' open spaces and other outdoor resources. Resources for open space should never be underestimated. Through the Land and Conservation Fund, the legislation would dedicate to conservation a portion of the monies paid to the federal gov-

ernment by companies for offshore oil and gas drilling rights.

This is important for the State of Texas. It is important for my community. We must create greater open space for all American communities, and preserve the historic areas of our communities. My district is in great need of more green space, more park maintenance dollars and dollars to support historic preservation work in the 4th ward, 6th ward, and 5th ward, along with the Heights and 3rd ward. Money that is furnished for our state through the Land and Water Conservation Fund is used to meet the cost of state land protection and park and recreational needs. The fund has simply never had enough funds to do the job that it has been tasked with. We can change that, Mr. Chairman.

This bill would also dedicate Land and Water Conservation funds to conservation purposes, providing additional funding to create or expand parks, forest, wildlife, and open spaces. We have a moral responsibility to conserve our precious natural resources.

Future generations will judge the suitability of our land, water, air and wildlife. We owe them some appreciation in how we treat our natural resources. Finally, I would like to thank the students from the Contemporary Learning Center school in my district who visited me on Wednesday, May 10, 2000, as part of the Close-up program to present the case for this bill, I cosponsored the bill and thanked them for their advocacy.

Mr. SKEEN. Mr. Chairman, I rise today in opposition to H.R. 701, the Conservation and Reinvestment Act. I could go on and on with reasons why this legislation is bad for New Mexico and bad for the United States. There are many others today who will explain the details of this bill.

I will use my time to concentrate on the main objection New Mexicans have with this legislation. Local, county and state governments, along with the federal government have enough land. In New Mexico, only 43 percent of the land is owned by citizens. The rest, 57 percent, is owned by government and Native American tribal governments. The people of New Mexico want to know how much land government wants? Do they want another 10 percent, another 20 percent, another 30 percent?

If one looks at the amount of money this bill mandates to spend over the next ten to twenty years there is a lot of private land that is going to disappear. I would love to have government or someone explain to me how acquiring all of this new land and adding to the millions of acres that are already being mismanaged is a good thing? Over 10 years this bill could add another 2.25 million acres at \$2,000 an acre to the hundreds of million of acres the federal government already owns. Who knows how much land the state and local governments will buy under this bill. Again and again we ask the question. Give us the lists, give us the parcels, give us the costs, and just tell us how much land local, county, state and federal governments want to own. Or at least tell us why these government entities won't provide this information to the public.

Please vote against H.R. 701.

Mr. SHUSTER. Mr. Chairman, I am in strong support of this bill and as a cosponsor of H.R. 701, the Conservation and Reinvestment Act, I commend my good friend from Alaska, the Chairman of the Resources Com-

mittee, Representative DON YOUNG, for his hard work and leadership in bringing this landmark legislation to the floor for action.

H.R. 701 is an important bill for our environment. It provides billions of dollars in funding through revenues of outer continental shelf activities for a variety of conservation and recreation activities. It embodies the principle, embraced by the transportation and infrastructure committee, creating a trust fund with a dedicated revenue stream for conserving and reinvesting in our Nation's resources.

The Transportation and Infrastructure Committee has jurisdiction over pollution of navigable waters, including coastal waters and wetlands. It also has jurisdiction over marine affairs, including coastal zone management, as it relates to the pollution of a navigable waters.

As such, I believe that several sections of H.R. 701, relating to state grants for activities that address water pollution-related issues and consideration of how well correlated a proposed plan is with existing federal, state and local programs, impact the Transportation Committee's jurisdiction. It is very important that in implementing these sections, they be done consistent with existing programs.

I hope to work together with Chairman YOUNG during conference negotiations and as CARA is implemented to address these general concerns. He has assured me that we will continue to work together to identify the agreed area of our jurisdiction and for solutions to concerns we may have.

I look forward to working with the Chairman of the Resources Committee in our continued efforts to protect and enhance our coastal waters. H.R. 701 is an important step forward in this direction.

Mr. NETHERCUTT. Mr. Chairman, today I express my concerns about H.R. 701, the Conservation and Reinvestment Act of 1999.

Mr. Chairman, as a member of the House Interior Subcommittee on Appropriations I have been very supportive of funding acquisition projects that are based on willing sellers, and consensus among all parties involved. I believe that overall the Land & Water Conservation Fund has provided a good means for protecting our lands, and I have been proud to support land acquisitions such as the Escure Ranch and Bowe Ranch in Eastern Washington. These projects were acquired with the full support of the communities which surround them and were funded through the Interior Appropriations process and the Land and Water Conservation Fund.

While I am supportive of the Land and Water Conservation Fund, today I am rising to share my concerns with the bill before the House, H.R. 701. Mr. Chairman, I understand that H.R. 701 is intended to supplant the current state and local funding for conservation and recreation programs and to encourage increased levels of state and local funding for these conservation projects. But, as a member of the Appropriations Committee, I am disturbed by the fact that this bill creates a new entitlement for our public lands.

First, as currently drafted, the bill declares the entire program off-budget and takes more than \$2.8 billion from the Outer Continental Shelf funds. This money is currently considered on-budget and will be a charge against the budget process annually over its 15 year life. This means that there will be more mandatory spending in the government that is essentially outside the discretion of Congress. I

understand that amendments may be offered today to put this program back on budget, and I look forward to listening to the debate on this issue, but I cannot support a program that creates a new, more than \$2 billion entitlement program when we are struggling to maintain our fiscal responsibility.

Under this new trust fund H.R. 701 accumulates annual deposits of \$2.8 billion from oil and gas royalties that are to be deposited annually by the Secretary of Treasury. Almost \$2.4 billion of these funds are transferred into accounts for land conservation, acquisition and management and would be available for spending by federal agencies without the current approval process by the Congress. The remaining monies, about \$450 million, must have Congressional approval before they can be spent.

Second, over the past few months I have listened to our land managing agencies come before the House Interior Subcommittee on Appropriations and not be able to tell the Subcommittee what their current backlog maintenance is to maintain the lands that they currently own and manage. Why are we providing these agencies with more money when they cannot tell the Congress what they need to currently maintain their lands? This isn't the only problem, Mr. Speaker. The amount of money to maintain these lands is enormous, yet we are creating a \$2.8 billion entitlement to buy new lands. The General Accounting Office noted when they came before the Subcommittee on Interior Appropriations that if the US Fish and Wildlife Service continues to acquire lands at the pace it has over the past few years, the costs to maintain their lands could exceed \$4 billion.

Finally Mr. Chairman, while I appreciate the efforts made by the authors of the bill to address some of the concerns regarding the protection of private property, I am still concerned about the level of protection afforded. I appreciate the authors attempt under the definitions section, Section 11 to outline the protections under the Constitution, but Mr. Chairman, this section does not protect against condemnation by the federal government or for that matter by state or local governments. The restrictions that are outlined in the bill only apply to the Land and Water Conservation Funds—which is only \$450 out of the more than \$2.8 billion program.

Mr. Chairman, I look forward to the debate today on this bill—and I am hopeful that some of the amendments offered will improve this legislation.

Mr. SHAYS. Mr. Chairman, I rise today in support of H.R. 701, the Conservation and Reinvestment Act.

I am one of the minority of members who is not a cosponsor of this bill. I chose not to become a cosponsor because the original legislation would have taken Outer Continental Shelf revenues off-budget. As a senior member of the Budget Committee, I have consistently opposed efforts to take various funds off-budget in order to maintain fiscal discipline and preserve a balanced budget.

While I am pleased the sponsors of this bill have taken these budgetary concerns into account and put the CARA Fund on-budget, this is still not an easy vote for me.

I have rarely supported increases in mandatory spending in the amounts considered today. However, an opportunity like this is extremely rare.

This bill's guarantee of full-funding for the Land and Water Conservation Fund (LWCF)—including the critical State-side funding—will rank as one of the most significant environmental accomplishments of our time. LWCF provides the ability to acquire pristine natural habitats and open space that can be preserved for generations to come. I know that once these lands are gone, they are gone forever.

I would like to thank my colleague from New York, Mr. BOEHLERT, for his efforts to improve environmental safeguards in the bill. He is to be commended for eliminating the original bill's potential incentives for increased offshore drilling activity.

It is critically important as this bill moves forward that we work to ensure the tens of millions of federal dollars that will flow to coastal states and local governments each year are spent in a way that helps, not harms, the environment.

I hope it will be made clear that authorized use under Section 102(c)(10)—“Mitigating marine and coastal impacts of Outer Continental Shelf activities including impacts on onshore infrastructure”—only refers to uses that directly mitigate the environmental impacts of offshore drilling and is not intended to fund environmentally-destructive road or port expansions or construction of bulkheads or jetties. At minimum, activities permitted under this use should be capped at 10 percent or less of a state's Title I spending.

Mr. Chairman, H.R. 701 is good for coastal areas, open space, urban parks, recreational activities and wildlife. The sponsors have worked to answer the concerns of widely-varying interests, and I am pleased to support the bill.

The CHAIRMAN pro tempore. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 4377 shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute consisting of the text of H.R. 4377 is as follows:

H.R. 4377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Conservation and Reinvestment Act of 2000”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Annual reports.
- Sec. 5. Conservation and Reinvestment Act Fund.
- Sec. 6. Limitation on use of available amounts for administration.
- Sec. 7. Recordkeeping requirements.
- Sec. 8. Maintenance of effort and matching funding.
- Sec. 9. Sunset.
- Sec. 10. Protection of private property rights.
- Sec. 11. Signs.

TITLE I—IMPACT ASSISTANCE AND COASTAL CONSERVATION

- Sec. 101. Impact assistance formula and payments.

- Sec. 102. Coastal State conservation and impact assistance plans.

TITLE II—LAND AND WATER CONSERVATION FUND REVITALIZATION

- Sec. 201. Amendment of Land and Water Conservation Fund Act of 1965.
- Sec. 202. Extension of fund; treatment of amounts transferred from Conservation and Reinvestment Act Fund.
- Sec. 203. Availability of amounts.
- Sec. 204. Allocation of Fund.
- Sec. 205. Use of Federal portion.
- Sec. 206. Allocation of amounts available for State purposes.
- Sec. 207. State planning.
- Sec. 208. Assistance to States for other projects.
- Sec. 209. Conversion of property to other use.
- Sec. 210. Water rights.

TITLE III—WILDLIFE CONSERVATION AND RESTORATION

- Sec. 301. Purposes.
- Sec. 302. Definitions.
- Sec. 303. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
- Sec. 304. Apportionment of amounts transferred from Conservation and Reinvestment Act Fund.
- Sec. 305. Education.
- Sec. 306. Prohibition against diversion.

TITLE IV—URBAN PARK AND RECREATION RECOVERY PROGRAM AMENDMENTS

- Sec. 401. Amendment of Urban Park and Recreation Recovery Act of 1978.
- Sec. 402. Purpose.
- Sec. 403. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
- Sec. 404. Authority to develop new areas and facilities.
- Sec. 405. Definitions.
- Sec. 406. Eligibility.
- Sec. 407. Grants.
- Sec. 408. Recovery action programs.
- Sec. 409. State action incentives.
- Sec. 410. Conversion of recreation property.
- Sec. 411. Repeal.

TITLE V—HISTORIC PRESERVATION FUND

- Sec. 501. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
- Sec. 502. State use of historic preservation assistance for national heritage areas and corridors.

TITLE VI—FEDERAL AND INDIAN LANDS RESTORATION

- Sec. 601. Purpose.
- Sec. 602. Treatment of amounts transferred from Conservation and Reinvestment Act Fund; allocation.
- Sec. 603. Authorized uses of transferred amounts.
- Sec. 604. Indian tribe defined.

TITLE VII—FARMLAND PROTECTION PROGRAM AND ENDANGERED AND THREATENED SPECIES RECOVERY

SUBTITLE A—FARMLAND PROTECTION PROGRAM

- Sec. 701. Additional funding and additional authorities under farmland protection program.
- Sec. 702. Funding.

Subtitle B—Endangered and Threatened Species Recovery

- Sec. 711. Purposes.
- Sec. 712. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.

Sec. 713. Endangered and threatened species recovery assistance.

Sec. 714. Endangered and Threatened Species Recovery Agreements.

Sec. 715. Definitions.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term "coastal population" means the population of all political subdivisions, as determined by the most recent official data of the Census Bureau, contained in whole or in part within the designated coastal boundary of a State as defined in a State's coastal zone management program under the Coastal Zone Management Act (16 U.S.C. 1451 and following).

(2) The term "coastal political subdivision" means a political subdivision of a coastal State all or part of which political subdivision is within the coastal zone (as defined in section 304 of the Coastal Zone Management Act (16 U.S.C. 1453)).

(3) The term "coastal State" has the same meaning as provided by section 304 of the Coastal Zone Management Act (16 U.S.C. 1453)).

(4) The term "coastline" has the same meaning that it has in the Submerged Lands Act (43 U.S.C. 1301 and following).

(5) The term "distance" means minimum great circle distance, measured in statute miles.

(6) The term "fiscal year" means the Federal Government's accounting period which begins on October 1st and ends on September 30th, and is designated by the calendar year in which it ends.

(7) The term "Governor" means the highest elected official of a State or of any other political entity that is defined as, or treated as, a State under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 and following), the Act of September 2, 1937 (16 U.S.C. 669 and following), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act, the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following), the National Historic Preservation Act (16 U.S.C. 470h and following), or the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 16 U.S.C. 3830 note).

(8) The term "leased tract" means a tract, leased under section 6 or 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1335, 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources, which is a unit consisting of either a block, a portion of a block, a combination of blocks or portions of blocks, or a combination of portions of blocks, as specified in the lease, and as depicted on an Outer Continental Shelf Official Protraction Diagram.

(9) The term "Outer Continental Shelf" means all submerged lands lying seaward and outside of the area of "lands beneath navigable waters" as defined in section 2(a) of the Submerged Lands Act (43 U.S.C. 1301(a)), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(10) The term "political subdivision" means the local political jurisdiction immediately below the level of State government, including counties, parishes, and boroughs. If State law recognizes an entity of general government that functions in lieu of, and is not within, a county, parish, or borough, the Secretary may recognize an area under the jurisdiction of such other entities of general government as a political subdivision for purposes of this title.

(11) The term "producing State" means a State with a coastal seaward boundary within 200 miles from the geographic center of a leased tract other than a leased tract or portion of a leased tract that is located in a geo-

graphic area subject to a leasing moratorium on January 1, 1999 (unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999).

(12) The term "qualified Outer Continental Shelf revenues" means (except as otherwise provided in this paragraph) all moneys received by the United States from each leased tract or portion of a leased tract lying seaward of the zone defined and governed by section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)), or lying within such zone but to which section 8(g) does not apply, the geographic center of which lies within a distance of 200 miles from any part of the coastline of any coastal State, including bonus bids, rents, royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases issued pursuant to the Outer Continental Shelf Lands Act. Such term does not include any revenues from a leased tract or portion of a leased tract that is located in a geographic area subject to a leasing moratorium on January 1, 1999, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999.

(13) The term "Secretary" means the Secretary of the Interior or the Secretary's designee, except as otherwise specifically provided.

(14) The term "Fund" means the Conservation and Reinvestment Act Fund established under section 5.

SEC. 4. ANNUAL REPORTS.

(a) STATE REPORTS.—On June 15 of each year, each Governor receiving moneys from the Fund shall account for all moneys so received for the previous fiscal year in a written report to the Secretary of the Interior or the Secretary of Agriculture, as appropriate. The report shall include, in accordance with regulations prescribed by the Secretaries, a description of all projects and activities receiving funds under this Act. In order to avoid duplication, such report may incorporate by reference any other reports required to be submitted under other provisions of law to the Secretary concerned by the Governor regarding any portion of such moneys.

(b) REPORT TO CONGRESS.—On January 1 of each year the Secretary of the Interior, in consultation with the Secretary of Agriculture, shall submit an annual report to the Congress documenting all moneys expended by the Secretary of the Interior and the Secretary of Agriculture from the Fund during the previous fiscal year and summarizing the contents of the Governors' reports submitted to the Secretaries under subsection (a).

SEC. 5. CONSERVATION AND REINVESTMENT ACT FUND.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund which shall be known as the "Conservation and Reinvestment Act Fund". In each fiscal year after the fiscal year 2000, the Secretary of the Treasury shall deposit into the Fund the following amounts:

(1) OCS REVENUES.—An amount in each such fiscal year from qualified Outer Continental Shelf revenues equal to the difference between \$2,825,000,000 and the amounts deposited in the Fund under paragraph (2), notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338).

(2) AMOUNTS NOT DISBURSED.—All allocated but undisbursed amounts returned to the Fund under section 101(a)(2).

(3) INTEREST.—All interest earned under subsection (d) that is not made available under paragraph (2) or (4) of that subsection.

(b) TRANSFER FOR EXPENDITURE.—In each fiscal year after the fiscal year 2001, the Sec-

retary of the Treasury shall transfer amounts deposited into the Fund as follows:

(1) \$1,000,000,000 to the Secretary of the Interior for purposes of making payments to coastal States under title I of this Act.

(2) To the Land and Water Conservation Fund for expenditure as provided in section 3(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6(a)) such amounts as are necessary to make the income of the fund \$900,000,000 in each such fiscal year.

(3) \$350,000,000 to the Federal aid to wildlife restoration fund established under section 3 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669b).

(4) \$125,000,000 to the Secretary of the Interior to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following).

(5) \$100,000,000 to the Secretary of the Interior to carry out the National Historic Preservation Act (16 U.S.C. 470 and following).

(6) \$200,000,000 to the Secretary of the Interior and the Secretary of Agriculture to carry out title VI of this Act.

(7) \$100,000,000 to the Secretary of Agriculture to carry out the farmland protection program under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 16 U.S.C. 3830 note) and the Forest Legacy Program under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(8) \$50,000,000 to the Secretary of the Interior to develop and implement Endangered and Threatened Species Recovery Agreements under subtitle B of title VII of this Act.

(c) SHORTFALL.—If amounts deposited into the Fund in any fiscal year after the fiscal year 2000 are less than \$2,825,000,000, the amounts transferred under paragraphs (1) through (8) of subsection (b) for that fiscal year shall each be reduced proportionately.

(d) INTEREST.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest moneys in the Fund (including interest), and in any fund or account to which moneys are transferred pursuant to subsection (b) of this section, in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Such invested moneys shall remain invested until needed to meet requirements for disbursement for the programs financed under this Act.

(2) USE OF INTEREST.—Except as provided in paragraphs (3) and (4), interest earned on such moneys shall be available, without further appropriation, for obligation or expenditure under—

(A) chapter 69 of title 31, United States Code (relating to payments in lieu of taxes); and

(B) section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s) (relating to refuge revenue sharing).

In each fiscal year such interest shall be allocated between the programs referred to in subparagraphs (A) and (B) in proportion to the amounts appropriated for that fiscal year under other provisions of law for purposes of such programs. To the extent that the total amount available for a fiscal year under this paragraph and such other provisions of law for one of such programs exceeds the authorized limit of that program, the amount available under this paragraph that contributes to such excess shall be allocated to the other such program, but not in excess of its authorized limit. To the extent that for both such programs such total amount

for each program exceeds the authorized limit of that program, the amount available under this paragraph that contributes to such excess shall be deposited into the Fund and shall be considered interest for purposes of subsection (a)(3). Interest shall cease to be available for obligation or expenditure for a fiscal year for purposes of subparagraph (A) if the annual appropriation for that fiscal year under other provisions of law for the program referred to in subparagraph (A) is less than \$100,000,000, and in any such case, the allocation provisions of this paragraph shall not apply and all such interest shall be available for purposes of the program referred to in subparagraph (B), up to the authorized limit of such program. Interest shall cease to be available for obligation or expenditure for a fiscal year for purposes of subparagraph (B) if the annual appropriation for that fiscal year under other provisions of law for the program referred to in subparagraph (A) is less than \$15,000,000, and in any such case, the allocation provisions of this paragraph shall not apply and all such interest shall be available for purposes of the program referred to in subparagraph (A), up to the authorized limit of such program. Interest shall cease to be available for obligation or expenditure for a fiscal year for purposes of this paragraph if the annual appropriation for that fiscal year under other provisions of law for each of the program referred to in subparagraph (A) and the program referred to in subparagraph (B) is less than \$100,000,000 and \$15,000,000, respectively, and in any such case, the allocation provisions of this paragraph shall not apply and all such interest shall be deposited into the Fund and be considered interest for purposes of subsection (a)(3).

(3) **CEILING ON EXPENDITURES OF INTEREST.**—Amounts made available under paragraph (2) in each fiscal year shall not exceed the lesser of the following:

(A) \$200,000,000.

(B) The total amount authorized and appropriated for that fiscal year under other provisions of law for purposes of the programs referred to in subparagraphs (A) and (B) of paragraph (2).

(4) **TITLE III INTEREST.**—All interest attributable to amounts transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of title III of this Act (and the amendments made by such title III) shall be available, without further appropriation, for obligation or expenditure for purposes of the North American Wetlands Conservation Act of 1989 (16 U.S.C. 4401 and following).

(e) **REFUNDS.**—In those instances where through judicial decision, administrative review, arbitration, or other means there are royalty refunds owed to entities generating revenues under this title, refunds shall be paid by the Secretary of the Treasury from amounts available in the Fund to the extent that such refunds are attributable to qualified Outer Continental Shelf revenues deposited in the Fund under this Act.

SEC. 6. LIMITATION ON USE OF AVAILABLE AMOUNTS FOR ADMINISTRATION.

Notwithstanding any other provision of law, of amounts made available by this Act (including the amendments made by this Act) for a particular activity, not more than 2 percent may be used for administrative expenses of that activity. Nothing in this section shall affect the prohibition contained in section 4(c)(3) of the Federal Aid in Wildlife Restoration Act (as amended by this Act).

SEC. 7. RECORDKEEPING REQUIREMENTS.

The Secretary of the Interior in consultation with the Secretary of Agriculture shall establish such rules regarding recordkeeping by State and local governments and the au-

diting of expenditures made by State and local governments from funds made available under this Act as may be necessary. Such rules shall be in addition to other requirements established regarding recordkeeping and the auditing of such expenditures under other authority of law.

SEC. 8. MAINTENANCE OF EFFORT AND MATCHING FUNDING.

(a) **IN GENERAL.**—It is the intent of the Congress in this Act that States not use this Act as an opportunity to reduce State or local resources for the programs funded by this Act. Except as provided in subsection (b), no State or local government shall receive any funds under this Act during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for programs for which funding is provided under this Act will be less than its expenditures were for such programs during the preceding fiscal year. No State or local government shall receive funding under this Act with respect to a program unless the Secretary is satisfied that such a grant will be so used to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds available for such program.

(b) **EXCEPTION.**—The Secretary may provide funding under this Act to a State or local government not meeting the requirements of subsection (a) if the Secretary determines that a reduction in expenditures —

(1) is attributable to a nonselective reduction in expenditures for the programs of all executive branch agencies of the State or local government; or

(2) is a result of reductions in State or local revenue as a result of a downturn in the economy.

(c) **USE OF FUND TO MEET MATCHING REQUIREMENTS.**—All funds received by a State or local government under this Act shall be treated as Federal funds for purposes of compliance with any provision in effect under any other law requiring that non-Federal funds be used to provide a portion of the funding for any program or project.

SEC. 9. SUNSET.

This Act, including the amendments made by this Act, shall have no force or effect after September 30, 2015.

SEC. 10. PROTECTION OF PRIVATE PROPERTY RIGHTS.

(a) **SAVINGS CLAUSE.**—Nothing in the Act shall authorize that private property be taken for public use, without just compensation as provided by the Fifth and Fourteenth amendments to the United States Constitution.

(b) **REGULATION.**—Federal agencies, using funds appropriated by this Act, may not apply any regulation on any lands until the lands or water, or an interest therein, is acquired, unless authorized to do so by another Act of Congress.

SEC. 11. SIGNS.

(a) **IN GENERAL.**—The Secretary shall require, as a condition of any financial assistance provided with amounts made available by this Act, that the person that owns or administers any site that benefits from such assistance shall include on any sign otherwise installed at that site at or near an entrance or public use focal point, a statement that the existence or development of the site (or both), as appropriate, is a product of such assistance.

(b) **STANDARDS.**—The Secretary shall provide for the design of standardized signs for purposes of subsection (a), and shall prescribe standards and guidelines for such signs.

TITLE I—IMPACT ASSISTANCE AND COASTAL CONSERVATION

SEC. 101. IMPACT ASSISTANCE FORMULA AND PAYMENTS.

(a) **IMPACT ASSISTANCE PAYMENTS TO STATES.**—

(1) **GRANT PROGRAM.**—Amounts transferred to the Secretary of the Interior from the Conservation and Reinvestment Act Fund under section 5(b)(1) of this Act for purposes of making payments to coastal States under this title in any fiscal year shall be allocated by the Secretary of the Interior among coastal States as provided in this section in each such fiscal year. In each such fiscal year, the Secretary of the Interior shall, without further appropriation, disburse such allocated funds to those coastal States for which the Secretary has approved a Coastal State Conservation and Impact Assistance Plan as required by this title. Payments for all projects shall be made by the Secretary to the Governor of the State or to the State official or agency designated by the Governor or by State law as having authority and responsibility to accept and to administer funds paid hereunder. No payment shall be made to any State until the State has agreed to provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this title, and provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal revenues paid to the State under this title.

(2) **FAILURE TO HAVE PLAN APPROVED.**—At the end of each fiscal year, the Secretary shall return to the Conservation and Reinvestment Act Fund any amount that the Secretary allocated, but did not disburse, in that fiscal year to a coastal State that does not have an approved plan under this title before the end of the fiscal year in which such grant is allocated, except that the Secretary shall hold in escrow until the final resolution of the appeal any amount allocated, but not disbursed, to a coastal State that has appealed the disapproval of a plan submitted under this title.

(b) **ALLOCATION AMONG COASTAL STATES.**—

(1) **ALLOCABLE SHARE FOR EACH STATE.**—For each coastal State, the Secretary shall determine the State's allocable share of the total amount of the revenues transferred from the Fund under section 5(b)(1) for each fiscal year using the following weighted formula:

(A) 50 percent of such revenues shall be allocated among the coastal States as provided in paragraph (2).

(B) 25 percent of such revenues shall be allocated to each coastal State based on the ratio of each State's shoreline miles to the shoreline miles of all coastal States.

(C) 25 percent of such revenues shall be allocated to each coastal State based on the ratio of each State's coastal population to the coastal population of all coastal States.

(2) **OFFSHORE OUTER CONTINENTAL SHELF SHARE.**—If any portion of a producing State lies within a distance of 200 miles from the geographic center of any leased tract with qualified Outer Continental Shelf revenues, the Secretary of the Interior shall determine such State's allocable share under paragraph (1)(A) based on the formula set forth in this paragraph. Such State share shall be calculated as of the date of the enactment of this Act for the first 5-fiscal year period during which funds are disbursed under this title and recalculated on the anniversary of such date each fifth year thereafter for each succeeding 5-fiscal year period. Each such State's allocable share of the revenues disbursed under paragraph (1)(A) shall be based

on qualified Outer Continental Shelf revenues from each leased tract or portion of a leased tract the geographic center of which is within a distance (to the nearest whole mile) of 200 miles from the coastline of the State and shall be inversely proportional to the distance between the nearest point on the coastline of such State and the geographic center of each such leased tract or portion, as determined by the Secretary for the 5-year period concerned. In applying this paragraph a leased tract or portion of a leased tract shall be excluded if the tract or portion is located in a geographic area subject to a leasing moratorium on January 1, 1999, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999.

(3) MINIMUM STATE SHARE.—

(A) IN GENERAL.—The allocable share of revenues determined by the Secretary under this subsection for each coastal State with an approved coastal management program (as defined by the Coastal Zone Management Act (16 U.S.C. 1451)), or which is making satisfactory progress toward one, shall not be less in any fiscal year than 0.50 percent of the total amount of the revenues transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of this title for that fiscal year under subsection (a). For any other coastal State the allocable share of such revenues shall not be less than 0.25 percent of such revenues.

(B) RECOMPUTATION.—Where one or more coastal States' allocable shares, as computed under paragraphs (1) and (2), are increased by any amount under this paragraph, the allocable share for all other coastal States shall be recomputed and reduced by the same amount so that not more than 100 percent of the amount transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of this title for that fiscal year under section 5(b)(1) is allocated to all coastal States. The reduction shall be divided pro rata among such other coastal States.

(C) PAYMENTS TO POLITICAL SUBDIVISIONS.—In the case of a producing State, the Governor of the State shall pay 50 percent of the State's allocable share, as determined under subsection (b), to the coastal political subdivisions in such State. Such payments shall be allocated among such coastal political subdivisions of the State according to an allocation formula analogous to the allocation formula used in subsection (b) to allocate revenues among the coastal States, except that a coastal political subdivision in the State of California that has a coastal shoreline, that is not within 200 miles of the geographic center of a leased tract or portion of a leased tract, and in which there is located one or more oil refineries shall be eligible for that portion of the allocation described in subsection (b)(1)(A) and (b)(2) in the same manner as if that political subdivision were located within a distance of 50 miles from the geographic center of the closest leased tract with qualified Outer Continental Shelf revenues.

(D) TIME OF PAYMENT.—Payments to coastal States and coastal political subdivisions under this section shall be made not later than December 31 of each year from revenues received during the immediately preceding fiscal year.

SEC. 102. COASTAL STATE CONSERVATION AND IMPACT ASSISTANCE PLANS.

(A) DEVELOPMENT AND SUBMISSION OF STATE PLANS.—Each coastal State seeking to receive grants under this title shall prepare, and submit to the Secretary, a Statewide Coastal State Conservation and Impact Assistance Plan. In the case of a producing State, the Governor shall incorporate the plans of the coastal political subdivisions into the Statewide plan for transmittal to

the Secretary. The Governor shall solicit local input and shall provide for public participation in the development of the Statewide plan. The plan shall be submitted to the Secretary by April 1 of the calendar year after the calendar year in which this Act is enacted.

(b) APPROVAL OR DISAPPROVAL.—

(1) IN GENERAL.—Approval of a Statewide plan under subsection (a) is required prior to disbursement of funds under this title by the Secretary. The Secretary shall approve the Statewide plan if the Secretary determines, in consultation with the Secretary of Commerce, that the plan is consistent with the uses set forth in subsection (c) and if the plan contains each of the following:

(A) The name of the State agency that will have the authority to represent and act for the State in dealing with the Secretary for purposes of this title.

(B) A program for the implementation of the plan which, for producing States, includes a description of how funds will be used to address the impacts of oil and gas production from the Outer Continental Shelf.

(C) Certification by the Governor that ample opportunity has been accorded for public participation in the development and revision of the plan.

(D) Measures for taking into account other relevant Federal resources and programs. The plan shall be correlated so far as practicable with other State, regional, and local plans.

(2) PROCEDURE AND TIMING; REVISIONS.—The Secretary shall approve or disapprove each plan submitted in accordance with this section. If a State first submits a plan by not later than 90 days before the beginning of the first fiscal year to which the plan applies, the Secretary shall approve or disapprove the plan by not later than 30 days before the beginning of that fiscal year.

(3) AMENDMENT OR REVISION.—Any amendment to or revision of the plan shall be prepared in accordance with the requirements of this subsection and shall be submitted to the Secretary for approval or disapproval. Any such amendment or revision shall take effect only for fiscal years after the fiscal year in which the amendment or revision is approved by the Secretary.

(C) AUTHORIZED USES OF STATE GRANT FUNDING.—The funds provided under this title to a coastal State and for coastal political subdivisions are authorized to be used only for one or more of the following purposes:

(1) Data collection, including but not limited to fishery or marine mammal stock surveys in State waters or both, cooperative State, interstate, and Federal fishery or marine mammal stock surveys or both, cooperative initiatives with university and private entities for fishery and marine mammal surveys, activities related to marine mammal and fishery interactions, and other coastal living marine resources surveys.

(2) The conservation, restoration, enhancement, or creation of coastal habitats.

(3) Cooperative Federal or State enforcement of marine resources management statutes.

(4) Fishery observer coverage programs in State or Federal waters.

(5) Invasive, exotic, and nonindigenous species identification and control.

(6) Coordination and preparation of cooperative fishery conservation and management plans between States including the development and implementation of population surveys, assessments and monitoring plans, and the preparation and implementation of State fishery management plans developed by interstate marine fishery commissions.

(7) Preparation and implementation of State fishery or marine mammal manage-

ment plans that comply with bilateral or multilateral international fishery or marine mammal conservation and management agreements or both.

(8) Coastal and ocean observations necessary to develop and implement real time tide and current measurement systems.

(9) Implementation of federally approved marine, coastal, or comprehensive conservation and management plans.

(10) Mitigating marine and coastal impacts of Outer Continental Shelf activities including impacts on onshore infrastructure.

(11) Projects that promote research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources.

(d) COMPLIANCE WITH AUTHORIZED USES.—Based on the annual reports submitted under section 4 of this Act and on audits conducted by the Secretary under section 7, the Secretary shall review the expenditures made by each State and coastal political subdivision from funds made available under this title. If the Secretary determines that any expenditure made by a State or coastal political subdivision of a State from such funds is not consistent with the authorized uses set forth in subsection (c), the Secretary shall not make any further grants under this title to that State until the funds used for such expenditure have been repaid to the Conservation and Reinvestment Act Fund.

TITLE II—LAND AND WATER

CONSERVATION FUND REVITALIZATION

SEC. 201. AMENDMENT OF LAND AND WATER CONSERVATION FUND ACT OF 1965.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 and following).

SEC. 202. EXTENSION OF FUND; TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 2(c) is amended to read as follows: "(c) AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to subsections (a) and (b) of this section, there shall be covered into the fund all amounts transferred to the fund under section 5(b)(2) of the Conservation and Reinvestment Act of 2000."

SEC. 203. AVAILABILITY OF AMOUNTS.

Section 3 (16 U.S.C. 4601-6) is amended to read as follows:

"APPROPRIATIONS

"SEC. 3. (a) IN GENERAL.—There are authorized to be appropriated to the Secretary from the fund to carry out this Act not more than \$900,000,000 in any fiscal year after the fiscal year 2001. Amounts transferred to the fund from the Conservation and Reinvestment Act Fund and amounts covered into the fund under subsections (a) and (b) of section 2 shall be available to the Secretary in fiscal years after the fiscal year 2001 without further appropriation to carry out this Act.

"(b) OBLIGATION AND EXPENDITURE OF AVAILABLE AMOUNTS.—Amounts available for obligation or expenditure from the fund or from the special account established under section 4(i)(1) may be obligated or expended only as provided in this Act."

SEC. 204. ALLOCATION OF FUND.

Section 5 (16 U.S.C. 4601-7) is amended to read as follows:

"ALLOCATION OF FUNDS

"SEC. 5. Of the amounts made available for each fiscal year to carry out this Act—

“(1) 50 percent shall be available for Federal purposes (in this Act referred to as the ‘Federal portion’); and

“(2) 50 percent shall be available for grants to States.”.

SEC. 205. USE OF FEDERAL PORTION.

Section 7 (16 U.S.C. 4601-9) is amended by adding at the end the following:

“(d) USE OF FEDERAL PORTION.—

“(1) APPROVAL BY CONGRESS REQUIRED.—The Federal portion (as that term is defined in section 5(1)) may not be obligated or expended by the Secretary of the Interior or the Secretary of Agriculture for any acquisition except those specifically referred to, and approved by the Congress, in an Act making appropriations for the Department of the Interior or the Department of Agriculture, respectively.

“(2) WILLING SELLER REQUIREMENT.—The Federal portion may not be used to acquire any property unless—

“(A) the owner of the property concurs in the acquisition; or

“(B) acquisition of that property is specifically approved by an Act of Congress.

“(e) LIST OF PROPOSED FEDERAL ACQUISITIONS.—

“(1) RESTRICTION ON USE.—The Federal portion for a fiscal year may not be obligated or expended to acquire any interest in lands or water unless the lands or water were included in a list of acquisitions that is approved by the Congress.

“(2) TRANSMISSION OF LIST.—(A) The Secretary of the Interior and the Secretary of Agriculture shall jointly transmit to the appropriate authorizing and appropriations committees of the House of Representatives and the Senate for each fiscal year, by no later than the submission of the budget for the fiscal year under section 1105 of title 31, United States Code, a list of the acquisitions of interests in lands and water proposed to be made with the Federal portion for the fiscal year.

“(B) In preparing each list under subparagraph (A), the Secretary shall—

“(i) seek to consolidate Federal landholdings in States with checkerboard Federal land ownership patterns;

“(ii) consider the use of equal value land exchanges, where feasible and suitable, as an alternative means of land acquisition;

“(iii) consider the use of permanent conservation easements, where feasible and suitable, as an alternative means of acquisition;

“(iv) identify those properties that are proposed to be acquired from willing sellers and specify any for which adverse condemnation is requested; and

“(v) establish priorities based on such factors as important or special resource attributes, threats to resource integrity, timely availability, owner hardship, cost escalation, public recreation use values, and similar considerations.

“(C) The Secretary of the Interior and the Secretary of Agriculture shall each—

“(i) transmit, with the list transmitted under subparagraph (A), a separate list of those lands under the administrative jurisdiction of the Secretary that have been identified in applicable land management plans as surplus and eligible for disposal as provided for by law; and

“(ii) update each list to be Indian transmitted under clause (i) as land management plans are amended or revised.

“(3) INFORMATION REGARDING PROPOSED ACQUISITIONS.—Each list under paragraph (2)(A) shall include, for each proposed acquisition included in the list—

“(A) citation of the statutory authority for the acquisition, if such authority exists; and

“(B) an explanation of why the particular interest proposed to be acquired was selected.

“(f) NOTIFICATION TO AFFECTED AREAS REQUIRED.—The Federal portion for a fiscal year may not be used to acquire any interest in land unless the Secretary administering the acquisition, by not later than 30 days after the date the Secretaries submit the list under subsection (e)(2)(A) for the fiscal year, provides notice of the proposed acquisition—

“(1) in writing to each Member of and each Delegate and Resident Commissioner to the Congress elected to represent any area in which is located—

“(A) the land; or

“(B) any part of any federally designated unit that includes the land;

“(2) in writing to the Governor of the State in which the land is located;

“(3) in writing to each State political subdivision having jurisdiction over the land; and

“(4) by publication of a notice in a newspaper that is widely distributed in the area under the jurisdiction of each such State political subdivision, that includes a clear statement that the Federal Government intends to acquire an interest in land.

“(g) COMPLIANCE WITH REQUIREMENTS UNDER FEDERAL LAWS.—

“(1) IN GENERAL.—The Federal portion for a fiscal year may not be used to acquire any interest in land or water unless the following have occurred:

“(A) All actions required under Federal law with respect to the acquisition have been complied with.

“(B) A copy of each final environmental impact statement or environmental assessment required by law, and a summary of all public comments regarding the acquisition that have been received by the agency making the acquisition, are submitted to the Committee on Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House of Representatives and of the Senate.

“(C) A notice of the availability of such statement or assessment and of such summary is provided to—

“(i) each Member of and each Delegate and Resident Commissioner to the Congress elected to represent the area in which the land is located;

“(ii) the Governor of the State in which the land is located; and

“(iii) each State political subdivision having jurisdiction over the land.

“(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to any acquisition that is specifically authorized by a Federal law.”.

SEC. 206. ALLOCATION OF AMOUNTS AVAILABLE FOR STATE PURPOSES.

(a) IN GENERAL.—Section 6(b) (16 U.S.C. 4601-8(b)) is amended to read as follows:

“(b) DISTRIBUTION AMONG THE STATES.—(1) Sums in the fund available each fiscal year for State purposes shall be apportioned among the several States by the Secretary, in accordance with this subsection. The determination of the apportionment by the Secretary shall be final.

“(2) Subject to paragraph (3), of sums in the fund available each fiscal year for State purposes—

“(A) 30 percent shall be apportioned equally among the several States; and

“(B) 70 percent shall be apportioned so that the ratio that the amount apportioned to each State under this subparagraph bears to the total amount apportioned under this subparagraph for the fiscal year is equal to the ratio that the population of the State bears to the total population of all States.

“(3) The total allocation to an individual State for a fiscal year under paragraph (2) shall not exceed 10 percent of the total amount allocated to the several States under paragraph (2) for that fiscal year.

“(4) The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter to the State for planning, acquisition, or development projects as hereafter described. Any amount of any apportionment under this subsection that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and the two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2), but without regard to the 10 percent limitation to an individual State specified in paragraph (3).

“(5)(A) For the purposes of paragraph (2)(A)—

“(i) the District of Columbia shall be treated as a State; and

“(ii) Puerto Rico, the Virgin Islands, Guam, and American Samoa—

“(I) shall be treated collectively as one State; and

“(II) shall each be allocated an equal share of any amount distributed to them pursuant to clause (i).

“(B) Each of the areas referred to in subparagraph (A) shall be treated as a State for all other purposes of this Act.”.

(b) TRIBES AND ALASKA NATIVE CORPORATIONS.—Section 6(b)(5) (16 U.S.C. 4601-8(b)(5)) is further amended by adding at the end the following new subparagraph:

“(C) For the purposes of paragraph (1), all federally recognized Indian tribes, or in the case of Alaska, Native Corporations (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), shall be eligible to receive shares of the apportionment under paragraph (1) in accordance with a competitive grant program established by the Secretary by rule. The total apportionment available to such tribes, or in the case of Alaska, Native Corporations shall be equivalent to the amount available to a single State. No single tribe, nor in the case of Alaska, Native Corporation shall receive a grant that constitutes more than 10 percent of the total amount made available to all tribes and Alaska Native Corporations pursuant to the apportionment under paragraph (1). Funds received by a tribe, or in the case of Alaska, Native Corporation under this subparagraph may be expended only for the purposes specified in paragraphs (1) and (3) of subsection (a).”.

(c) LOCAL ALLOCATION.—Section 6(b) (16 U.S.C. 4601-8(b)) is amended by adding at the end the following:

“(6) Absent some compelling and annually documented reason to the contrary acceptable to the Secretary of the Interior, each State (other than an area treated as a State under paragraph (5)) shall make available as grants to local governments, at least 50 percent of the annual State apportionment, or an equivalent amount made available from other sources.”.

SEC. 207. STATE PLANNING.

(a) STATE ACTION AGENDA REQUIRED.—

(1) IN GENERAL.—Section 6(d) (16 U.S.C. 4601-8(d)) is amended to read as follows:

“(d) STATE ACTION AGENDA REQUIRED.—(1) Each State may define its own priorities and criteria for selection of outdoor conservation and recreation acquisition and development projects eligible for grants under this Act, so long as the priorities and criteria defined by the State are consistent with the purposes of this Act, the State provides for public involvement in this process, and the State publishes an accurate and current State Action Agenda for Community Conservation and Recreation (in this Act referred to as the ‘State Action Agenda’) indicating the needs it has identified and the priorities and criteria it has established. In order to assess its needs and establish its overall priorities,

each State, in partnership with its local governments and Federal agencies, and in consultation with its citizens, shall develop, within 5 years after the enactment of the Conservation and Reinvestment Act of 2000, a State Action Agenda that meets the following requirements:

“(A) The agenda must be strategic, originating in broad-based and long-term needs, but focused on actions that can be funded over the next 5 years.

“(B) The agenda must be updated at least once every 5 years and certified by the Governor that the State Action Agenda conclusions and proposed actions have been considered in an active public involvement process.

“(2) State Action Agendas shall take into account all providers of conservation and recreation lands within each State, including Federal, regional, and local government resources, and shall be correlated whenever possible with other State, regional, and local plans for parks, recreation, open space, and wetlands conservation. Recovery action programs developed by urban localities under section 1007 of the Urban Park and Recreation Recovery Act of 1978 shall be used by a State as a guide to the conclusions, priorities, and action schedules contained in State Action Agenda. Each State shall assure that any requirements for local outdoor conservation and recreation planning, promulgated as conditions for grants, minimize redundancy of local efforts by allowing, wherever possible, use of the findings, priorities, and implementation schedules of recovery action programs to meet such requirements.”.

(2) EXISTING STATE PLANS.—Comprehensive State Plans developed by any State under section 6(d) of the Land and Water Conservation Fund Act of 1965 before the date that is 5 years after the enactment of this Act shall remain in effect in that State until a State Action Agenda has been adopted pursuant to the amendment made by this subsection, but no later than 5 years after the enactment of this Act.

(b) MISCELLANEOUS.—Section 6(e) (16 U.S.C. 4601-8(e)) is amended as follows:

(1) In the matter preceding paragraph (1) by striking “State comprehensive plan” and inserting “State Action Agenda”.

(2) In paragraph (1) by striking “comprehensive plan” and inserting “State Action Agenda”.

SEC. 208. ASSISTANCE TO STATES FOR OTHER PROJECTS.

Section 6(e) (16 U.S.C. 4601-8(e)) is amended—

(1) in subsection (e)(1) by striking “, but not including incidental costs relating to acquisition”; and

(2) in subsection (e)(2) by inserting before the period at the end the following: “or to enhance public safety within a designated park or recreation area”.

SEC. 209. CONVERSION OF PROPERTY TO OTHER USE.

Section 6(f)(3) (16 U.S.C. 4601-8(f)(3)) is amended—

(1) by inserting “(A)” before “No property”; and

(2) by striking the second sentence and inserting the following:

“(B) The Secretary shall approve such conversion only if the State demonstrates no prudent or feasible alternative exists with the exception of those properties that no longer meet the criteria within the State Plan or Agenda as an outdoor conservation and recreation facility due to changes in demographics or that must be abandoned because of environmental contamination which endangers public health and safety. Any conversion must satisfy such conditions as the Secretary deems necessary to assure the sub-

stitution of other conservation and recreation properties of at least equal fair market value and reasonably equivalent usefulness and location and which are consistent with the existing State Plan or Agenda; except that wetland areas and interests therein as identified in the wetlands provisions of the action agenda and proposed to be acquired as suitable replacement property within that same State that is otherwise acceptable to the Secretary shall be considered to be of reasonably equivalent usefulness with the property proposed for conversion.”.

SEC. 210. WATER RIGHTS.

Title I is amended by adding at the end the following:

“WATER RIGHTS

“SEC. 14. Nothing in this title—

“(1) invalidates or preempts State or Federal water law or an interstate compact governing water;

“(2) alters the rights of any State to any appropriated share of the waters of any body of surface or ground water, whether determined by past or future interstate compacts or by past or future legislative or final judicial allocations;

“(3) preempts or modifies any Federal or State law, or interstate compact, dealing with water quality or disposal; or

“(4) confers on any non-Federal entity the ability to exercise any Federal right to the waters of any stream or to any ground water resource.”.

TITLE III—WILDLIFE CONSERVATION AND RESTORATION

SEC. 301. PURPOSES.

The purposes of this title are—

(1) to extend financial and technical assistance to the States under the Federal Aid to Wildlife Restoration Act for the benefit of a diverse array of wildlife and associated habitats, including species that are not hunted or fished, to fulfill unmet needs of wildlife within the States in recognition of the primary role of the States to conserve all wildlife;

(2) to assure sound conservation policies through the development, revision, and implementation of a comprehensive wildlife conservation and restoration plan;

(3) to encourage State fish and wildlife agencies to participate with the Federal Government, other State agencies, wildlife conservation organizations, Indian tribes, and in the case of Alaska, Alaska Native Corporations, and outdoor recreation and conservation interests through cooperative planning and implementation of this title; and

(4) to encourage State fish and wildlife agencies to provide for public involvement in the process of development and implementation of a wildlife conservation and restoration program.

SEC. 302. DEFINITIONS.

(a) REFERENCE TO LAW.—In this title, the term “Federal Aid in Wildlife Restoration Act” means the Act of September 2, 1937 (16 U.S.C. 669 and following), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act.

(b) WILDLIFE CONSERVATION AND RESTORATION PROGRAM.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended by inserting after “shall be construed” the first place it appears the following: “to include the wildlife conservation and restoration program and”.

(c) STATE AGENCIES.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended by inserting “or State fish and wildlife department” after “State fish and game department”.

(d) DEFINITIONS.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C.

669a) is amended by striking the period at the end thereof, substituting a semicolon, and adding the following: “the term ‘conservation’ shall be construed to mean the use of methods and procedures necessary or desirable to sustain healthy populations of wildlife including all activities associated with scientific resources management such as research, census, monitoring of populations, acquisition, improvement and management of habitat, live trapping and transplantation, wildlife damage management, and periodic or total protection of a species or population as well as the taking of individuals within wildlife stock or population if permitted by applicable State and Federal law; the term ‘wildlife conservation and restoration program’ means a program developed by a State fish and wildlife department and approved by the Secretary under section 4(d), the projects that constitute such a program, which may be implemented in whole or part through grants and contracts by a State to other State, Federal, or local agencies (including those that gather, evaluate, and disseminate information on wildlife and their habitats), wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this title, and maintenance of such projects; the term ‘wildlife’ shall be construed to mean any species of wild, free-ranging fauna including fish, and also fauna in captive breeding programs the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range; the term ‘wildlife-associated recreation’ shall be construed to mean projects intended to meet the demand for outdoor activities associated with wildlife including, but not limited to, hunting and fishing, wildlife observation and photography, such projects as construction or restoration of wildlife viewing areas, observation towers, blinds, platforms, land and water trails, water access, trail heads, and access for such projects; and the term ‘wildlife conservation education’ shall be construed to mean projects, including public outreach, intended to foster responsible natural resource stewardship.”.

SEC. 303. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 3 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669b) is amended—

(1) in subsection (a) by inserting “(1)” after “(a)”, and by adding at the end the following:

“(2) There is established in the Federal aid to wildlife restoration fund a subaccount to be known as the ‘wildlife conservation and restoration account’. Amounts transferred to the fund for a fiscal year under section 5(b)(3) of the Conservation and Reinvestment Act of 2000 shall be deposited in the subaccount and shall be available without further appropriation, in each fiscal year, for apportionment in accordance with this Act to carry out State wildlife conservation and restoration programs.”; and

(2) by adding at the end the following:

“(c) Amounts transferred to the fund from the Conservation and Reinvestment Act Fund and apportioned under subsection (a)(2) shall supplement, but not replace, existing funds available to the States from the sport fish restoration account and wildlife restoration account and shall be used for the development, revision, and implementation of wildlife conservation and restoration programs and should be used to address the unmet needs for a diverse array of wildlife and associated habitats, including species that are not hunted or fished, for wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new

programs and projects as well as to enhance existing programs and projects.

"(d) (I) Notwithstanding subsections (a) and (b) of this section, with respect to amounts transferred to the fund from the Conservation and Reinvestment Act Fund so much of such amounts as is apportioned to any State for any fiscal year and as remains unexpended at the close thereof shall remain available for expenditure in that State until the close of—

"(A) the fourth succeeding fiscal year, in the case of amounts transferred in any of the first 10 fiscal years beginning after the date of enactment of the Conservation and Reinvestment Act of 2000; or

"(B) the second succeeding fiscal year, in the case of amounts transferred in a fiscal year beginning after the 10-fiscal-year period referred to in subparagraph (A).

"(2) Any amount apportioned to a State under this subsection that is unexpended or unobligated at the end of the period during which it is available under paragraph (1) shall be reappropriated to all States during the succeeding fiscal year."

SEC. 304. APPORTIONMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

(a) IN GENERAL.—Section 4 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669c) is amended by adding at the end the following new subsection:

"(c) AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.—(1) The Secretary of the Interior shall make the following apportionment from the amount transferred to the fund from the Conservation and Reinvestment Act Fund for each fiscal year:

"(A) To the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than 1/2 of 1 percent thereof.

"(B) To Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than 1/4 of 1 percent thereof.

"(2)(A) The Secretary of the Interior, after making the apportionment under paragraph (1), shall apportion the remainder of the amount transferred to the fund from the Conservation and Reinvestment Act Fund for each fiscal year among the States in the following manner:

"(i) 1/3 of which is based on the ratio to which the land area of such State bears to the total land area of all such States.

"(ii) 2/3 of which is based on the ratio to which the population of such State bears to the total population of all such States.

"(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State shall be apportioned a sum which is less than 1/2 of 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount.

"(3) Amounts transferred to the fund from the Conservation and Reinvestment Act Fund shall not be available for any expenses incurred in the administration and execution of programs carried out with such amounts.

"(d) WILDLIFE CONSERVATION AND RESTORATION PROGRAMS.—(1) Any State, through its fish and wildlife department, may apply to the Secretary of the Interior for approval of a wildlife conservation and restoration program, or for funds to develop a program. To apply, a State shall submit a comprehensive plan that includes—

"(A) provisions vesting in the fish and wildlife department of the State overall responsibility and accountability for the program;

"(B) provisions for the development and implementation of—

"(i) wildlife conservation projects that expand and support existing wildlife programs,

giving appropriate consideration to all wildlife;

"(ii) wildlife-associated recreation projects; and

"(iii) wildlife conservation education projects pursuant to programs under section 8(a); and

"(C) provisions to ensure public participation in the development, revision, and implementation of projects and programs required under this paragraph.

"(2) A State shall provide an opportunity for public participation in the development of the comprehensive plan required under paragraph (1).

"(3) If the Secretary finds that the comprehensive plan submitted by a State complies with paragraph (1), the Secretary shall approve the wildlife conservation and restoration program of the State and set aside from the apportionment to the State made pursuant to subsection (c) an amount that shall not exceed 75 percent of the estimated cost of developing and implementing the program.

"(4)(A) Except as provided in subparagraph (B), after the Secretary approves a State's wildlife conservation and restoration program, the Secretary may make payments on a project that is a segment of the State's wildlife conservation and restoration program as the project progresses. Such payments, including previous payments on the project, if any, shall not be more than the United States pro rata share of such project. The Secretary, under such regulations as he may prescribe, may advance funds representing the United States pro rata share of a project that is a segment of a wildlife conservation and restoration program, including funds to develop such program.

"(B) Not more than 10 percent of the amounts apportioned to each State under this section for a State's wildlife conservation and restoration program may be used for wildlife-associated recreation.

"(5) For purposes of this subsection, the term 'State' shall include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands."

(b) FACA.—Coordination with State fish and wildlife agency personnel or with personnel of other State agencies pursuant to the Federal Aid in Wildlife Restoration Act or the Federal Aid in Sport Fish Restoration Act shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.). Except for the preceding sentence, the provisions of this title relate solely to wildlife conservation and restoration programs and shall not be construed to affect the provisions of the Federal Aid in Wildlife Restoration Act relating to wildlife restoration projects or the provisions of the Federal Aid in Sport Fish Restoration Act relating to fish restoration and management projects.

SEC. 305. EDUCATION.

Section 8(a) of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669g(a)) is amended by adding the following at the end thereof: "Funds available from the amount transferred to the fund from the Conservation and Reinvestment Act Fund may be used for a wildlife conservation education program, except that no such funds may be used for education efforts, projects, or programs that promote or encourage opposition to the regulated taking of wildlife."

SEC. 306. PROHIBITION AGAINST DIVERSION.

No designated State agency shall be eligible to receive matching funds under this title if sources of revenue available to it after January 1, 1999, for conservation of wildlife are diverted for any purpose other than the administration of the designated

State agency, it being the intention of Congress that funds available to States under this title be added to revenues from existing State sources and not serve as a substitute for revenues from such sources. Such revenues shall include interest, dividends, or other income earned on the forgoing.

TITLE IV—URBAN PARK AND RECREATION RECOVERY PROGRAM AMENDMENTS

SEC. 401. AMENDMENT OF URBAN PARK AND RECREATION RECOVERY ACT OF 1978.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following).

SEC. 402. PURPOSE.

The purpose of this title is to provide a dedicated source of funding to assist local governments in improving their park and recreation systems.

SEC. 403. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 1013 (16 U.S.C. 2512) is amended to read as follows:

"TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND

"SEC. 1013. (a) IN GENERAL.—Amounts transferred to the Secretary of the Interior under section 5(b)(4) of the Conservation and Reinvestment Act of 2000 in a fiscal year shall be available to the Secretary without further appropriation to carry out this title. Any amount that has not been paid or obligated by the Secretary before the end of the second fiscal year beginning after the first fiscal year in which the amount is available shall be reappropriated by the Secretary among grantees under this title.

"(b) LIMITATIONS ON ANNUAL GRANTS.—Of the amounts available in a fiscal year under subsection (a)—

"(1) not more than 3 percent may be used for grants for the development of local park and recreation recovery action programs pursuant to sections 1007(a) and 1007(c);

"(2) not more than 10 percent may be used for innovation grants pursuant to section 1006; and

"(3) not more than 15 percent may be provided as grants (in the aggregate) for projects in any one State.

"(c) LIMITATION ON USE FOR GRANT ADMINISTRATION.—The Secretary shall establish a limit on the portion of any grant under this title that may be used for grant and program administration."

SEC. 404. AUTHORITY TO DEVELOP NEW AREAS AND FACILITIES.

Section 1003 (16 U.S.C. 2502) is amended by inserting "development of new recreation areas and facilities, including the acquisition of lands for such development," after "rehabilitation of critically needed recreation areas, facilities,".

SEC. 405. DEFINITIONS.

Section 1004 (16 U.S.C. 2503) is amended as follows:

(1) In paragraph (j) by striking "and" after the semicolon.

(2) In paragraph (k) by striking the period at the end and inserting a semicolon.

(3) By adding at the end the following:

"(l) 'development grants'—

"(1) subject to subparagraph (2) means matching capital grants to units of local government to cover costs of development, land acquisition, and construction on existing or new neighborhood recreation sites, including indoor and outdoor recreational areas and facilities, support facilities, and landscaping; and

“(2) does not include routine maintenance, and upkeep activities; and

“(m) ‘Secretary’ means the Secretary of the Interior.”.

SEC. 406. ELIGIBILITY.

Section 1005(a) (16 U.S.C. 2504(a)) is amended to read as follows:

“(a) Eligibility of general purpose local governments to compete for assistance under this title shall be based upon need as determined by the Secretary. Generally, eligible general purpose local governments shall include the following:

“(1) All political subdivisions of Metropolitan, Primary, or Consolidated Statistical Areas, as determined by the most recent Census.

“(2) Any other city, town, or group of cities or towns (or both) within such a Metropolitan Statistical Area, that has a total population of 50,000 or more as determined by the most recent Census.

“(3) Any other county, parish, or township with a total population of 250,000 or more as determined by the most recent Census.”.

SEC. 407. GRANTS.

Section 1006 (16 U.S.C. 2505) is amended—

(1) in subsection (a) by redesignating paragraph (3) as paragraph (4); and

(2) by striking so much as precedes subsection (a)(4) (as so redesignated) and inserting the following:

“GRANTS

“SEC. 1006. (a)(1) The Secretary may provide 70 percent matching grants for rehabilitation, development, acquisition, and innovation purposes to any eligible general purpose local government upon approval by the Secretary of an application submitted by the chief executive of such government.

“(2) At the discretion of such an applicant, a grant under this section may be transferred in whole or part to independent special purpose local governments, private nonprofit agencies, or county or regional park authorities, if—

“(A) such transfer is consistent with the approved application for the grant; and

“(B) the applicant provides assurance to the Secretary that the applicant will maintain public recreation opportunities at assisted areas and facilities in accordance with section 1010.

“(3) Payments may be made only for those rehabilitation, development, or innovation projects that have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward completion of a project, on a reimbursable basis.”.

SEC. 408. RECOVERY ACTION PROGRAMS.

Section 1007(a) (16 U.S.C. 2506(a)) is amended—

(1) in subsection (a) in the first sentence by inserting “development,” after “commitments to ongoing planning,”; and

(2) in subsection (a)(2) by inserting “development and” after “adequate planning for”.

SEC. 409. STATE ACTION INCENTIVES.

Section 1008 (16 U.S.C. 2507) is amended—

(1) by inserting “(a) IN GENERAL.—” before the first sentence; and

(2) by striking the last sentence of subsection (a) (as designated by paragraph (1) of this section) and inserting the following:

“(b) COORDINATION WITH LAND AND WATER CONSERVATION FUND ACTIVITIES.—(1) The Secretary and general purpose local governments are encouraged to coordinate preparation of recovery action programs required by this title with State Plans or Agendas required under section 6 of the Land and Water Conservation Fund Act of 1965, including by allowing flexibility in preparation of recovery action programs so they may be used to meet State and local qualifications for local

receipt of Land and Water Conservation Fund grants or State grants for similar purposes or for other conservation or recreation purposes.

“(2) The Secretary shall encourage States to consider the findings, priorities, strategies, and schedules included in the recovery action programs of their urban localities in preparation and updating of State plans in accordance with the public coordination and citizen consultation requirements of subsection 6(d) of the Land and Water Conservation Fund Act of 1965.”.

SEC. 410. CONVERSION OF RECREATION PROPERTY.

Section 1010 (16 U.S.C. 2509) is amended to read as follows:

“CONVERSION OF RECREATION PROPERTY

“SEC. 1010. (a)(1) No property developed, acquired, or rehabilitated under this title shall, without the approval of the Secretary, be converted to any purpose other than public recreation purposes.

“(2) Paragraph (1) shall apply to—

“(A) property developed with amounts provided under this title; and

“(B) the park, recreation, or conservation area of which the property is a part.

“(b)(1) The Secretary shall approve such conversion only if the grantee demonstrates no prudent or feasible alternative exists.

“(2) Paragraph (1) shall apply to property that is no longer a viable recreation facility due to changes in demographics or that must be abandoned because of environmental contamination which endangers public health or safety.

“(c) Any conversion must satisfy any conditions the Secretary considers necessary to assure substitution of other recreation property that is—

“(1) of at least equal fair market value, and reasonably equivalent usefulness and location; and

“(2) in accord with the current recreation recovery action program of the grantee.”.

SEC. 411. REPEAL.

Section 1015 (16 U.S.C. 2514) is repealed.

TITLE V—HISTORIC PRESERVATION FUND

SEC. 501. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended—

(1) by inserting “(a)” before the first sentence;

(2) in subsection (a) (as designated by paragraph (1) of this section) by striking all after the first sentence; and

(3) by adding at the end the following:

“(b) Amounts transferred to the Secretary under section 5(b)(5) of the Conservation and Reinvestment Act of 2000 in a fiscal year shall be deposited into the Fund and shall be available without further appropriation to carry out this Act.

“(c) At least ½ of the funds obligated or expended each fiscal year under this Act shall be used in accordance with this Act for preservation projects on historic properties. In making such funds available, the Secretary shall give priority to the preservation of endangered historic properties.”.

SEC. 502. STATE USE OF HISTORIC PRESERVATION ASSISTANCE FOR NATIONAL HERITAGE AREAS AND CORRIDORS.

Title I of the National Historic Preservation Act (16 U.S.C. 470a and following) is amended by adding at the end the following:

“SEC. 114. STATE USE OF ASSISTANCE FOR NATIONAL HERITAGE AREAS AND CORRIDORS.

“In addition to other uses authorized by this Act, amounts provided to a State under this title may be used by the State to provide financial assistance to the management

entity for any national heritage area or national heritage corridor established under the laws of the United States, to support cooperative historic preservation planning and development.”.

TITLE VI—FEDERAL AND INDIAN LANDS RESTORATION

SEC. 601. PURPOSE.

The purpose of this title is to provide a dedicated source of funding for a coordinated program on Federal and Indian lands to restore degraded lands, protect resources that are threatened with degradation, and protect public health and safety.

SEC. 602. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND; ALLOCATION.

(a) IN GENERAL.—Amounts transferred to the Secretary of the Interior and the Secretary of Agriculture under section 5(b)(6) of this Act in a fiscal year shall be available without further appropriation to carry out this title.

(b) ALLOCATION.—Amounts referred to in subsection (a) year shall be allocated and available as follows:

(1) DEPARTMENT OF THE INTERIOR.—60 percent shall be allocated and available to the Secretary of the Interior to carry out the purpose of this title on lands within the National Park System, lands within the National Wildlife Refuge System, and public lands administered by the Bureau of Land Management.

(2) DEPARTMENT OF AGRICULTURE.—30 percent shall be allocated and available to the Secretary of Agriculture to carry out the purpose of this title on lands within the National Forest System.

(3) INDIAN TRIBES.—10 percent shall be allocated and available to the Secretary of the Interior for competitive grants to qualified Indian tribes under section 603(b).

SEC. 603. AUTHORIZED USES OF TRANSFERRED AMOUNTS.

(a) IN GENERAL.—Funds made available to carry out this title shall be used solely for restoration of degraded lands, resource protection, maintenance activities related to resource protection, or protection of public health or safety.

(b) COMPETITIVE GRANTS TO INDIAN TRIBES.—

(1) GRANT AUTHORITY.—The Secretary of the Interior shall administer a competitive grant program for Indian tribes, giving priority to projects based upon the protection of significant resources, the severity of damages or threats to resources, and the protection of public health or safety.

(2) LIMITATION.—The amount received for a fiscal year by a single Indian tribe in the form of grants under this subsection may not exceed 10 percent of the total amount available for that fiscal year for grants under this subsection.

(c) PRIORITY LIST.—The Secretary of the Interior and the Secretary of Agriculture shall each establish priority lists for the use of funds available under this title. Each list shall give priority to projects based upon the protection of significant resources, the severity of damages or threats to resources, and the protection of public health or safety.

(d) COMPLIANCE WITH APPLICABLE PLANS.—Any project carried out on Federal lands with amounts provided under this title shall be carried out in accordance with all management plans that apply under Federal law to the lands.

(e) TRACKING RESULTS.—Not later than the end of the first full fiscal year for which funds are available under this title, the Secretary of the Interior and the Secretary of Agriculture shall jointly establish a coordinated program for—

(1) tracking the progress of activities carried out with amounts made available by this title; and

(2) determining the extent to which demonstrable results are being achieved by those activities.

SEC. 604. INDIAN TRIBE DEFINED.

In this title, the term "Indian tribe" means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior recognizes as an Indian tribe under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a-1).

TITLE VII—FARMLAND PROTECTION PROGRAM AND ENDANGERED AND THREATENED SPECIES RECOVERY

Subtitle A—Farmland Protection Program

SEC. 701. ADDITIONAL FUNDING AND ADDITIONAL AUTHORITIES UNDER FARMLAND PROTECTION PROGRAM.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 16 U.S.C. 3830 note) is amended to read as follows:

"SEC. 388. FARMLAND PROTECTION PROGRAM.

"(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Agriculture shall carry out a farmland protection program for the purpose of protecting farm, ranch, and forest lands with prime, unique, or other productive uses by limiting the nonagricultural uses of the lands. Under the program, the Secretary may provide matching grants to eligible entities described in subsection (d) to facilitate their purchase of—

"(1) permanent conservation easements in such lands; or

"(2) conservation easements or other interests in such lands when the lands are subject to a pending offer from a State or local government.

"(b) CONSERVATION PLAN.—Any highly erodible land for which a conservation easement or other interest is purchased using funds made available under this section shall be subject to the requirements of a conservation plan that requires, at the option of the Secretary of Agriculture, the conversion of the cropland to less intensive uses.

"(c) MAXIMUM FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement described in subsection (a)(1) may not exceed 50 percent of the total cost of purchasing the easement.

"(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means any of the following:

"(1) An agency of a State or local government.

"(2) A federally recognized Indian tribe.

"(3) Any organization that is organized for, and at all times since its formation has been operated principally for, one or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986 and—

"(A) is described in section 501(c)(3) of the Code;

"(B) is exempt from taxation under section 501(a) of the Code; and

"(C) is described in paragraph (2) of section 509(a) of the Code, or paragraph (3) of such section, but is controlled by an organization described in paragraph (2) of such section.

"(e) TITLE; ENFORCEMENT.—Any eligible entity may hold title to a conservation easement purchased using grant funds provided under subsection (a)(1) and enforce the conservation requirements of the easement.

"(f) STATE CERTIFICATION.—As a condition of the receipt by an eligible entity of a grant under subsection (a)(1), the attorney general of the State in which the conservation easement is to be purchased using the grant funds shall certify that the conservation easement to be purchased is in a form that is

sufficient, under the laws of the State, to achieve the purposes of the farmland protection program and the terms and conditions of the grant.

"(g) TECHNICAL ASSISTANCE.—To provide technical assistance to carry out this section, the Secretary of Agriculture may not use more than 10 percent of the amount made available for any fiscal year under section 702 of the Conservation and Reinvestment Act of 2000."

SEC. 702. FUNDING.

(a) AVAILABILITY.—Amounts transferred to the Secretary of Agriculture under section 5(b)(7) of this Act in a fiscal year shall be available to the Secretary of Agriculture, without further appropriation, to carry out—

(1) the farmland protection program under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 16 U.S.C. 3830 note), and

(2) the Forest Legacy Program under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(b) MINIMUM ALLOCATION.—Not less than 10 percent of the amounts transferred to the Secretary of Agriculture under section 5(b)(7) of this Act in a fiscal year shall be used for each of the programs referred to in paragraphs (1) and (2) of subsection (a).

Subtitle B—Endangered and Threatened Species Recovery

SEC. 711. PURPOSES.

The purposes of this subtitle are the following:

(1) To provide a dedicated source of funding to the United States Fish and Wildlife Service and the National Marine Fisheries Service for the purpose of implementing an incentives program to promote the recovery of endangered species and threatened species and the habitat upon which they depend.

(2) To promote greater involvement by non-Federal entities in the recovery of the Nation's endangered species and threatened species and the habitat upon which they depend.

SEC. 712. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Amounts transferred to the Secretary of the Interior under section 5(b)(8) of this Act in a fiscal year shall be available to the Secretary of the Interior without further appropriation to carry out this subtitle.

SEC. 713. ENDANGERED AND THREATENED SPECIES RECOVERY ASSISTANCE.

(a) FINANCIAL ASSISTANCE.—The Secretary may use amounts made available under section 712 to provide financial assistance to any person for development and implementation of Endangered and Threatened Species Recovery Agreements entered into by the Secretary under section 714.

(b) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to the development and implementation of species recovery agreements that—

(1) implement actions identified under recovery plans approved by the Secretary under section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f));

(2) have the greatest potential for contributing to the recovery of an endangered or threatened species; and

(3) to the extent practicable, require use of the assistance on land owned by a small landowner.

(c) PROHIBITION ON ASSISTANCE FOR REQUIRED ACTIVITIES.—The Secretary may not provide financial assistance under this section for any action that is required by a permit issued under section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)(1)(B)) or an incidental take statement issued under section 7 of that Act (16 U.S.C. 1536), or that is otherwise required under that Act or any other Federal law.

(d) PAYMENTS UNDER OTHER PROGRAMS.—

(1) OTHER PAYMENTS NOT AFFECTED.—Financial assistance provided to a person under this section shall be in addition to, and shall not affect, the total amount of payments that the person is otherwise eligible to receive under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 and following), the wetlands reserve program established under subchapter C of that chapter (16 U.S.C. 3837 and following), or the Wildlife Habitat Incentives Program established under section 387 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3836a).

(2) LIMITATION.—A person may not receive financial assistance under this section to carry out activities under a species recovery agreement in addition to payments under the programs referred to in paragraph (1) made for the same activities, if the terms of the species recovery agreement do not require financial or management obligations by the person in addition to any such obligations of the person under such programs.

SEC. 714. ENDANGERED AND THREATENED SPECIES RECOVERY AGREEMENTS.

(a) IN GENERAL.—The Secretary may enter into Endangered and Threatened Species Recovery Agreements for purposes of this subtitle in accordance with this section.

(b) REQUIRED TERMS.—The Secretary shall include in each species recovery agreement provisions that—

(1) require the person—

(A) to carry out on real property owned or leased by the person activities not otherwise required by law that contribute to the recovery of an endangered or threatened species;

(B) to refrain from carrying out on real property owned or leased by the person otherwise lawful activities that would inhibit the recovery of an endangered or threatened species; or

(C) to do any combination of subparagraphs (A) and (B);

(2) describe the real property referred to in paragraph (1)(A) and (B) (as applicable);

(3) specify species recovery goals for the agreement, and measures for attaining such goals;

(4) require the person to make measurable progress each year in achieving those goals, including a schedule for implementation of the agreement;

(5) specify actions to be taken by the Secretary or the person (or both) to monitor the effectiveness of the agreement in attaining those recovery goals;

(6) require the person to notify the Secretary if—

(A) any right or obligation of the person under the agreement is assigned to any other person; or

(B) any term of the agreement is breached by the person or any other person to whom is assigned a right or obligation of the person under the agreement;

(7) specify the date on which the agreement takes effect and the period of time during which the agreement shall remain in effect;

(8) provide that the agreement shall not be in effect on and after any date on which the Secretary publishes a certification by the Secretary that the person has not complied with the agreement; and

(9) allocate financial assistance provided under this subtitle for implementation of the agreement, on an annual or other basis during the period the agreement is in effect based on the schedule for implementation required under paragraph (4).

(c) REVIEW AND APPROVAL OF PROPOSED AGREEMENTS.—Upon submission by any person of a proposed species recovery agreement under this section, the Secretary—

(1) shall review the proposed agreement and determine whether it complies with the requirements of this section and will contribute to the recovery of endangered or threatened species that are the subject of the proposed agreement;

(2) propose to the person any additional provisions necessary for the agreement to comply with this section; and

(3) if the Secretary determines that the agreement complies with the requirements of this section, shall approve and enter with the person into the agreement.

(d) MONITORING IMPLEMENTATION OF AGREEMENTS.—The Secretary shall—

(1) periodically monitor the implementation of each species recovery agreement entered into by the Secretary under this section; and

(2) based on the information obtained from that monitoring, annually or otherwise disburse financial assistance under this subtitle to implement the agreement as the Secretary determines is appropriate under the terms of the agreement.

SEC. 715. DEFINITIONS.

In this subtitle:

(1) ENDANGERED OR THREATENED SPECIES.—The term “endangered or threatened species” means any species that is listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior or the Secretary of Commerce, in accordance with section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(3) SMALL LANDOWNER.—The term “small landowner” means an individual who owns 50 acres or fewer of land.

(4) SPECIES RECOVERY AGREEMENT.—The term “species recovery agreement” means an Endangered and Threatened Species Recovery Agreement entered into by the Secretary under section 714.

The CHAIRMAN pro tempore. No amendment to that amendment is in order except those printed in House Report 106-612. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider amendment No. 1 printed in House Report 106-612.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. YOUNG of Alaska:

Page 21, line 9, strike “for the” and all that follows down through “period” in line 13.

Page 21, line 24, strike “for the 5-year period concerned”.

Page 25, strike lines 11 through 15 and insert:

“(B) A program for the implementation of the plan which shall include (i) a description of how the plan will address environmental concerns, (ii) for producing States, a description of how funds will be used to address the impacts of oil and gas production from the Outer Continental Shelf, and (iii) a description of how the State will evaluate the effectiveness of the plan.

Page 26, line 18, after “used” insert “in compliance with Federal and State law”.

Page 33, line 22, strike “Indian”.

Page 39, line 11, strike “paragraphs” and insert “clauses”.

Page 39, after line 21, insert:

(d) STATE PROJECTS OF REGIONAL OR NATIONAL SIGNIFICANCE.—Section 6(b) (16 U.S.C. 4601-8(b)) is amended by adding the following at the end:

“(7)(A) Any amounts available in addition to those amounts made available under section 5 of the Conservation and Reinvestment Act of 2000 in a fiscal year shall be available without further appropriation to the Secretary of the Interior to be distributed among the several States under a competitive grant program for State projects as authorized under section 6(e)(1) of national or regional significance involving one or more States.

“(B) The Secretary shall award grants only to projects that would conserve open space and either conserve wildlife habitat, protect water quality, or otherwise enhance the environment, or that would protect areas that have historic or cultural value. The Secretary shall give preference to projects that would be most likely to have the greatest benefit to the environment regionally or nationally and would maintain or enhance recreational opportunities.”.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very simple amendment. It eliminates the incentives claim. It more clearly defines the State plan within title I, and ensures the coastal impact assistance uses adhere to the State and Federal laws. It creates a multi-State competitive grant program. It removes a typo error within title II. It clarifies a provision within title II.

It is supported by the gentleman from New York (Mr. BOEHLERT), the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from New Jersey (Mr. PALLONE). The gentleman from California (Mr. GEORGE MILLER) and I have agreed to this amendment, and it is in the manager's substitute. I urge the passage of the legislation.

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Young amendment. This amendment is being offered by Mr. YOUNG on behalf of Congressmen MILLER, TAUZIN, DIN-

GELL, JOHN, MARKEY, PALLONE, and me. It reflects an agreement worked out in painstaking negotiations among the staffs on the amendment sponsors. I greatly appreciate the time and effort the sponsors of the bill were willing to put into this compromise, which I think is to everyone's advantage, and, more importantly, to the public's advantage.

The amendment makes three sets of reasonable improvements in the bill, which are in keeping with statements the bill's sponsors have been saying about the bill all along.

First, the sponsors have said again and again that this bill is designed to be neutral on the issue of off-shore oil drilling, creating neither incentives nor disincentives. This amendment will ensure that that is the case. By freezing the formula in Title I as of the date of enactment, we remove any chance that states or counties will push for more drilling in order to increase their share of Title I monies.

Second, the sponsors have said again and again that the expenditure of Title I money should help, not harm the environment. This amendment will help ensure that states explicitly address environmental concerns in their plans and that those plans comply with state and federal law. Moreover, we ask states to think about how they will evaluate the success of their plans—something that should appeal to all of us who believe in promoting a “second generation” of environmental protection that will look at actual environmental impacts not just inputs like spending.

Third, the bill's sponsors have said again and again that they want to help states provide recreational opportunities for their citizens. This amendment will help states do that, as well as protect open space and natural resources by setting up a competitive grant program for those purposes. We still need to find funding for this important program, but we have at least made clear that this program should be part of any final CARA bill.

Again, this is a good amendment on which all of us have worked hard. It is supported by all the sponsors of CARA as well as by all the elements of the environmental community. I urge its overwhelming purpose.

Mr. BOEHLERT. Mr. Chairman, at this point I submit the extraneous materials to which I referred in my previous remarks.

AMENDMENTS TO H.R. 701, AS REPORTED, OFFERED BY MR. BOEHLERT OF NEW YORK

(Page and line nos. refer to H.R. 4377)

Page 9, line 20, strike “\$1,000,000,000” and insert “\$900,000,000”.

Page 11, after line 2, add the following new paragraph:

“(9) \$100,000,000 to the Secretary of the Interior to carry out title VIII of this Act.”.

Page 11, line 6, strike “(8)” and insert “(9)”.

Page 20, line 15, strike “50 percent” and insert “41 percent”.

Page 20, line 18, strike “25 percent” and insert “28 percent”.

Page 20, line 22, strike “25 percent” and insert “31 percent”.

Page 21, strike line 1 and all that follows down through line 5 on page 22, insert the following:

“(2) OFFSHORE OUTER CONTINENTAL SHELF SHARE.—(A) If any portion of a producing State lies within a distance of 200 miles from the geographic center of any leased tract, the Secretary of the Interior shall determine such State's allocable share under paragraph (1)(A) based on the formula set forth in this paragraph.

“(B) Each such State’s allocable share of the revenues disbursed under paragraph (1)(A) shall be inversely proportional to the distance between the nearest point on the coastline of such State and the geographic center of each leased tract or portion of the leased tract (to the nearest whole mile) that is within 200 miles of that coastline.

“(C) If a State’s allocable share under paragraph (1)(A) exceeds 35 percent of the revenues to be disbursed under paragraph (1)(A), the amount from such State which exceeds this limit shall be reallocated among the other States eligible under this paragraph in proportion to the amounts they received under the initial allocation under this paragraph.

“(D) Each State’s allocable share under paragraph (1)(A) shall be calculated as of the date of the enactment of this Act and shall apply for each fiscal year in which States receive funds under this title.

“(E) In applying this paragraph, a leased tract or portion of a leased tract shall be excluded if the tract or portion is located in a geographic area subject to a leasing moratorium on January 1, 1999, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999.

“(3) MAXIMUM STATE SHARE.—

“(A) IN GENERAL.—The allocable share of revenues determined by the Secretary under this subsection for each coastal State with a total population less than 6,000,000 shall not be more in any fiscal year than 12 ½ percent of the total amount of the revenues transferred by the Secretary of the Treasury to the Secretary of the Interior for the purposes of this title for that fiscal year under subsection (a).

“(B) RECOMPUTATION.—Where one or more coastal States’ allocable shares, as computed under paragraphs (1) and (2), are decreased by any amount under this paragraph, the allocable share for all other coastal States shall be recomputed and increased by such amounts so that not more than 100 percent of the amount transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of this title for that fiscal year under section 5(b)(1) is allocated to all coastal States. The increase shall be divided equally among such other coastal States.

Page 22 line 6, strike “(3)” and insert “(4)”.

Page 22, line 7, strike “The” and insert “After applying the maximum share provisions of paragraph (3) to all coastal States, the”.

Page 22, line 14, strike “0.50” and insert “5/9”.

Page 22, line 20, strike “0.25” and insert “5/18”.

Page 23, line 1, after “States” insert “(except for those that have had their allocable share reduced under paragraph (3)(B))”.

Page 23, strike line 10 and all that follows down through line 3 on page 24 and redesignate subsection (d) on line 4 of page 24 as subsection (c).

Page 24, line 5, strike “and coastal political subdivisions”.

Page 24, beginning in line 15, strike “In the case of” and all that follows down through the period on line 18 and insert “The Governor shall work with coastal political subdivisions in developing the plan and may disburse funds to those subdivisions as part of the plan.”.

Page 25, strike line 11 and all that follows down through line 15 and insert:

“(B) A program for the implementation of the plan, which shall include a description of how the plan will improve the environment and a program for determining whether the plan is having its intended effects.”.

Page 26, strike line 15 and all that follows down through line 9 on page 28 and insert:

(c) AUTHORIZED USES OF STATE GRANT FUNDING.—Except as provided in subsection (d), the funds provided under this title are authorized to be used only to improve the coastal and ocean environment by preserving, protecting, managing, and, where possible, restoring and enhancing coastal, marine, estuarine, and Great Lakes resources, including habitats, living marine resources, shorelines, and water quality through the following activities:

(1) Preparation, coordination, or implementation of federally or State-approved coastal, estuarine, or marine comprehensive conservation, or resource management plans or programs.

(2) The conservation, restoration, enhancement, or creation of marine, coastal, or estuarine habitats.

(3) The protection, conservation, or enhancement of coastal or estuarine shorelines, including natural protective features such as beaches, dunes, coral reefs, wetlands, or barrier islands.

(4) Preparation, coordination, or implementation of comprehensive fishery, marine mammal, avian, or other living marine resource management plans, including ratified interstate or international agreements and fishery observer programs.

(5) Identification, prevention, management, and control of invasive exotic and non-indigenous species.

(6) Data collection, research, monitoring, or other assessments, including population surveys, relating to fisheries, avian species, marine mammals, or other living marine resources, or to coastal, estuarine, marine, and Great Lakes resources or habitats.

(7) Observations necessary to develop and implement real time tide and current measurement systems.

(8) Projects that promote research, education, training, and advisory services in fields related to activities authorized by this subsection.

(9) Enforcement of Federal, State, or local marine, coastal, and estuarine resource management statutes.

(d) AUTHORIZED USE OF STATE GRANT FUNDING IN PRODUCING STATES.—In addition to the uses authorized in subsection (c), a producing State may use up to 10 percent of the funds provided under this title each year to mitigate the impacts of Outer Continental Shelf activities, including impacts on on-shore infrastructure.

Page 28, line 10, strike “(d)” and insert “(e)”.

Page 31, line 10, strike “The” and insert “(A) Except as provided in subparagraph (B), the”.

Page 31, after line 17, insert the following new subparagraph:

“(B) REMAINING FUNDS.—If, for any fiscal year, the Acts making appropriations for the Department of the Interior and the Department of Agriculture for that fiscal year have not approved in accordance with subparagraph (A), by the date 90 days after the commencement of such fiscal year, the full amount of the Federal portion, the President may obligate and expend the remaining funds for projects on the list submitted under subsection (e). No later than 180 days after the commencement of the fiscal year, the President shall submit to the Congress a list of the specific projects he intends to fund, and no funds shall be expended until 120 days after that list has been submitted.”.

Page 31, line 24, strike the period and insert “or is undertaken pursuant to paragraph (1)(B).”.

Page 53, line 19, strike the closing quotation marks and after line 19, insert the following new subsection:

“(e) WILDLIFE CONSERVATION STRATEGY.—Any State that receives an apportionment

pursuant to section 4(c) shall within 5 years of the date of the initial apportionment develop and begin implementation of a wildlife conservation strategy based upon the best available and appropriate scientific information and data that—

“(1) uses such information on the distribution and abundance of species of wildlife, including low population and declining species as the State fish and wildlife department deems appropriate, that are indicative of the diversity and health of wildlife of the State;

“(2) identifies the extent and condition of wildlife habitats and community types essential to the conservation of species identified under paragraph (1);

“(3) identifies the problems which may adversely affect the species identified under paragraph (1) or their habitats, and provides for priority research and surveys to identify factors which may assist in restoration and more effective conservation of such species and their habitats;

“(4) determines those actions which should be taken to conserve the species identified under paragraph (1) and their habitats, and establishes priorities for implementing such conservation actions;

“(5) provides for periodic monitoring of species identified under paragraph (1) and their habitats and the effectiveness of the conservation actions determined under paragraph (4), and for adapting conservation actions as appropriate to respond to new information or changing conditions;

“(6) provides for the review of the State wildlife conservation strategy and, if appropriate, revision at intervals of not more than 10 years; and

“(7) provides for coordination to the extent feasible by the State fish and wildlife department, during the development, implementation, review, and revision of the wildlife conservation strategy, with Federal, State, and local agencies and Indian tribes that manage significant areas of land or water within the State, or administer programs that significantly affect the conservation of species identified under paragraph (1) or their habitats.

Page 77, after line 22, add the following new title and make the necessary conforming changes in the table of contents:

TITLE VIII—NON-FEDERAL LANDS OF REGIONAL OR NATIONAL INTEREST

SEC. 801. PURPOSE.

The purpose of this title is to provide a dedicated source of funding to make grants to help States conserve open space through the purchase of lands and interests in lands that are of regional or national interest.

SEC. 802. TRANSFER OF FUNDS.

Amounts transferred to the Secretary of the Interior under section 5(b)(9) of this Act in a fiscal year shall be available without further appropriation, to carry out this title.

SEC. 803. COMPETITIVE GRANTS TO STATES.

(a) GRANT AUTHORITY.—The Secretary of the Interior shall administer a competitive grant program to assist States in purchasing lands of national or regional significance or in purchasing easements to protect those lands.

(b) MATCHING REQUIREMENT.—A grant provided under this section shall not cover more than 50 percent of the cost of the purchase of the land or easement.

(c) APPLICATIONS.—Not later than 90 days after the enactment of this Act, the Secretary shall issue and publish in the Federal Register the schedule for the submission of grants and the criteria under which applications for grants under this section shall be evaluated. At a minimum, such criteria shall require that an application—

(1) be submitted by the Governor of a State, or in the case of a multistate application, by the Governors of all the participating States;

(2) demonstrate that the matching funds required by subsection (b) will be available;

(3) demonstrate that the use of the grant will conserve the land being purchased in a manner that will protect the environment; and

(4) detail what uses of the land will be allowed after the purchase.

The Secretary may revise the criteria at the beginning of a fiscal year and shall publish any revisions in the Federal Register. Any revised criteria must meet the requirements of this subsection.

(d) **CRITERIA FOR COMPETITIVE SELECTION AMONG GRANT APPLICATIONS.**—In carrying out this title, the Secretary shall award grants only to projects that would conserve open space, and would preserve wildlife habitat, protect water quality, or otherwise enhance the environment, or that would protect areas that have historic or cultural value. The Secretary shall give preference to projects that would be most likely to have the greatest impact on the environment regionally or nationally and would protect recreational opportunities.

(e) **NOTICE TO CONGRESS.**—In any fiscal year, no funds for grants under this title may be expended until 60 days after the Secretary has submitted to the appropriate authorizing and appropriating Committees of the Congress a list of States receiving awards under this title and a brief description of the project the State will undertake.

APRIL 13, 2000.

DEAR REPRESENTATIVES BOEHLERT, MARKEY, AND PALLONE: We are writing to thank you for your leadership in offering amendments to H.R. 701, the Conservation and Reinvestment Act (CARA) of 1999 and to offer our enthusiastic support for your amendments package. H.R. 701 provides landmark levels of critically needed funding for land, wildlife, marine, coastal, historic, and cultural conservation needs. Your amendments would move CARA farther down the road to becoming the first substantial conservation bill of the new century.

Your amendments would make significant improvements to H.R. 701 including:

In Title I, removing many problematic incentives for new offshore oil development, capping the amount of funding that could be used for damaging infrastructure, and better ensuring that the bulk of the funds will be spent on environmentally beneficial projects;

In Title II, taking needed steps toward ensuring the federal portion of the Land and Water Conservation Fund will be spent so that protection of lands in our national parks, wildlife, refuges, forests and other public lands will not be unnecessarily delayed;

Adding to Title III important strategic planning provisions that have been recommended almost unanimously by wildlife conservation groups; and

Adding a new competitive grant program that would provide funding for acquisition and easements for non-federal lands of regional or national interest.

Our organizations will work tirelessly to ensure adoption of your amendments when H.R. 701 is considered on the House floor. Passage of these amendments will ensure that our organizations will be united in support of CARA moving through the House.

Again, we applaud your leadership in working to obtain these needed fixes to the bill and tremendously appreciate your efforts. We look forward to working with you as H.R. 701 moves to the House floor.

Sincerely,

Barbara Jeanne Polo, Executive Director, American Oceans Campaign; Roger T. Rufe, Jr., President, Center for Marine Conservation; Rodger Schlickeisen, President, Defenders of Wildlife; Fred Krupp, Executive Director, Environmental Defense; Thomas C. Kiernan, President, National Parks Conservation Association; Richard Moe, President, National Trust for Historic Preservation; Mark Van Putten, President & CEO, National Wildlife Federation; John Adams, President, Natural Resources Defense Council; Meg Maguire, President, Scenic America; Carl Pope, Executive Director, Sierra Club; William H. Meadows, President, The Wilderness Society; Gene Karpinski, Executive Director, U.S. Public Interest Research Group; William M. Eichbaum, Vice President, U.S. Conservation and Global Threats, World Wildlife Fund.

AMERICANS FOR OUR HERITAGE
AND RECREATION,

May 9, 2000.

Hon. SHERWOOD BOEHLERT,
Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE BOEHLERT: Americans for Our Heritage and Recreation, a national grassroots organization of conservation and civic organizations, park and recreation leaders, urban and open space advocates, and the sporting goods and outdoor recreation industry wants to thank you for your leadership in joining with Representatives EDWARD MARKEY and FRANK PALLONE to seek important environmental improvements to the Conservation and Reinvestment Act (CARA, H.R. 701).

Through the hard work of House Resources Committee Chairman DON YOUNG, Representative GEORGE MILLER, and key cosponsors of the legislation, CARA affords a unique and major opportunity to provide a permanent federal commitment to parks and open space protection through dedicated funding for natural heritage programs, including the Land and Water Conservation Fund (LWCF).

As you know, for more than three decades, the Land and Water Conservation Fund has been the cornerstone of American conservation and recreation, responsible for more than seven million acres of parkland and 37,000 state and local park and recreation projects. A visionary program, LWCF invests moneys from depleting resources—offshore oil and gas—to fund parks, protect wildlife, and preserve open spaces.

Given the \$12 billion backlog in parks and special places that need immediate protection, we are especially appreciative that your amendments would provide an important assurance for LWCF's federal component that Congress keep its 35-year old promise and annually fund the program at its authorized level, and not divert or withhold funding as has been done in years past.

We also are particularly pleased that your amendments would provide funding to preserve regional lands of national significance, such as the Northern Forest and Mississippi Delta regions, without diminishing the important state and local recreation and open space components of LWCF's state matching grants program.

Finally, we commend your efforts to ensure that the legislation contains no incentives for offshore oil and gas drilling and that coastal funding is used in a manner that will not harm the environment.

We look forward to working with you and other Members of Congress to advance your amendment and the improvements to CARA, which it incorporates, and pass a final piece of legislation that truly will preserve our natural heritage and enhance America's quality of life for generations to come.

Again, many thanks for your leadership.

Sincerely,

JANE DANOWITZ,
Executive Director.

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, May 5, 2000.

Re: Support the Boehlert (R-NY)/Markey (D-MA)/Pallone (D-NJ) amendments to H.R. 701.

House of Representatives, Washington, DC.

DEAR REPRESENTATIVE: The League of Conservation Voters is the bipartisan, political voice of the national environmental movement. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide and the press.

LCV urges you to support amendments offered by Representatives Boehlert (R-NY), Markey (D-MA), and Pallone (D-NJ) to H.R. 701, the Conservation and Reinvestment Act of 2000. H.R. 701 provides landmark levels of critically needed funding for land, wildlife, marine, coastal, historic, and cultural conservation needs. The Pallone/Boehlert/Markey amendments would help CARA become the first substantial conservation bill of the new century.

The Markey/Pallone/Boehlert amendments would make significant improvements to H.R. 701 including:

In Title I, removing many problematic incentives for new offshore oil development, capping the amount of funding that could be used for damaging infrastructure, and better ensuring that the bulk of the funds will be spent on environmentally beneficial projects;

In Title II, taking needed steps to ensure that the federal portion of the Land and Water Conservation Fund will be spent each year to avoid unnecessary delays in the protection of our national parks, wildlife refuges, forests and other public lands;

Adding to Title III important strategic planning provisions that have been recommended almost unanimously by wildlife conservation groups; and

Adding a new competitive grant program that would provide funding for acquisition and easements for non-federal lands of regional or national interest.

The passage of these amendments is key to LCV's support of H.R. 701. We urge you to vote "yes" on the Boehlert/Markey/Pallone amendments to H.R. 701.

LCV's Political Advisory Committee will consider including votes on these issues when compiling LCV's 2000 Scorecard. If you need more information, please call Betsy Loyless in my office at 202/785-8683.

Sincerely,

DEB CALLAHAN,
President.

THE TRUST FOR PUBLIC LAND,
Washington, DC, April 13, 2000.

Hon. SHERWOOD BOEHLERT,
Rayburn House Office Building, Washington,
DC.

DEAR CONGRESSMAN BOEHLERT: I am writing to express the Trust for Public Land's appreciation and my own for your important efforts to advance H.R. 701, the Conservation and Reinvestment Act (CARA), to consideration by the House of Representatives and your constructive approach to addressing the particulars of this landmark conservation bill.

As you well know, the longstanding constraints on annual funding of such vital programs as the Land and Water Conservation Fund (LWCF) and the Forest Legacy Program have placed enormous stresses on federal and nonfederal resource areas, on communities, and on private landowners. The Conservation and Reinvestment Act clearly affords one of the best opportunities in conservation history to rededicate federal resources to these critical national needs, providing enhanced, reliable funding levels through several well-targeted programs to secure key natural, recreational, cultural, and other resource lands before they are lost forever. Accordingly, TPL has welcomed the initiative of Chairman Young, Congressman Miller, and their many cosponsors in offering CARA, and has enthusiastically advocated swift House action on this legislation.

We also are gratified by your unflinching commitment to the crucial land-saving programs promoted by CARA, your efforts to ensure expeditious floor action, and your positive engagement on the bill's specific provisions. As we have previously indicated, we are supportive of improvements to the bill that do not impair its chance of ultimate success. As a transaction-oriented conservation organization, with experience in the real estate marketplace and a working knowledge of the need to protect willing-seller lands as they become available—we particularly commend your efforts in Title II to provide appropriate additional assurances for annual funding of federal-side LWCF, as well as the concept of additional funding for lands of regional and national significance you propose in Title VIII. We look forward to working with you toward inclusion of these and other refinements in a final, enacted Conservation and Reinvestment Act.

TPL firmly believes that the time has come for House passage of CARA. With your assistance in bringing the bill to the floor, and with appropriate deliberation of the issues your amendment raises, we also believe that Congress is within reach of a lasting victory for America's irreplaceable parklands and public spaces.

Sincerely,

ALAN FRONT,
Senior Vice President.

THE IZAAK WALTON LEAGUE
OF AMERICA,
April 14, 2000.

Hon. SHERWOOD BOEHLERT,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE BOEHLERT: I'm writing to express appreciation on behalf of our members for your efforts to encourage the House leadership to schedule the Conservation and Reinvestment Act (H.R. 701) for consideration at the earliest possible date. We believe it is absolutely critical that this landmark conservation bill is signed into law in this session of Congress.

I also wish to thank you for your proposed amendment to Title III that would add a valuable planning tool to the state wildlife funding program. As you know, the League along with a diverse group of other conservation and environmental organizations

worked diligently to craft this broadly accepted planning provision. It would ensure that these funds will be used for the most critical wildlife conservation needs. This amendment deserves thoughtful consideration by the full House.

Like you, we want to ensure that the coastal impact assistance provision results in the greatest benefit to our valuable marine and tidal resources; however, the equitable distribution of those funds among the states is clearly a matter for congress to determine.

Your proposal to add assurances that Land and Water Conservation Fund monies be expended for the intended purposes of that program is welcomed by our members who have been among the most ardent supporters of that program. Conservation of our country's land resources for fish and wildlife and other valuable benefits that derive from these open natural spaces is becoming increasingly important.

While we will always support improvements to legislation that benefits the environment, it is of first and foremost importance that nothing impedes the final passage of CARA. We would be pleased by the addition of any improving amendments that do not jeopardize that outcome.

Respectfully,

PAUL W. HANSEN,
Executive Director.

NORTHERN FOREST ALLIANCE,
April 19, 2000.

Representative SHERWOOD BOEHLERT,
Rayburn House Office Building, Washington,
DC.

DEAR REPRESENTATIVE BOEHLERT: We are writing to express our appreciation and enthusiastic support for your leadership in developing strengthening amendments to H.R. 701, the Conservation and Reinvestment Act (CARA). H.R. 701 provides the opportunity to put words into action, and enact the most far-reaching conservation measure in recent memory.

The most important accomplishment of H.R. 701 would be the restoration of full and permanent funding for the Land and Water Conservation Fund. Revitalizing this fund will have a direct impact on conservation efforts in every region of the country, including the Northern Forest. This legislation would be significantly improved, however, by modifications embodied in your proposed amendments. In particular we strongly support the provision that would create an additional, more flexible fund which is capable of addressing important state-led projects of local, regional or national significance which exceed the capacity of traditionally administered state-side grants.

Your amendments would also remove much of the incentive for states and localities to accept new offshore oil development, cap the amount of funding that could be used for damaging infrastructure, ensure the federal portion of the Land and Water Conservation Fund will be expended, and add strategic planning provisions recommended by wildlife conservation groups.

We are prepared to communicate with your colleagues in Congress and lend our support to ensure adoption of your amendments when H.R. 701 is considered on the House floor. Thank you again for your efforts to improve and pass conservation legislation this year.

Sincerely,

ANDREA L. COLNES,
Executive Director.

The CHAIRMAN pro tempore. Does any Member seek time in opposition?

If not, the question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 2 printed in House Report 106-612.

AMENDMENT NO. 2 OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. REGULA:

Page 4, line 13, before the period insert “, except that no State may be treated as a coastal State in any fiscal year in which there is a Federal moratorium on offshore leasing and related activities off the coast of that State”.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Ohio (Mr. REGULA) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I have no illusions that this amendment will pass, but my purpose in offering it is to show my colleagues the unfairness of this proposed legislation.

As my colleagues know, the purpose of Title I is to create a revenue sharing and a coastal conservation fund for coastal States and eligible local governments to mitigate the various impacts of OCS activities and provide funds for the conservation of our coastal ecosystems.

Indeed, one can make a valid argument for using Outer Continental Shelf oil and gas leasing revenues for the restoration of coastlines that have been negatively impacted by offshore drilling. The fact that the revenues for the CARA fund would be derived directly, and I emphasize directly, from royalties from offshore leases and would go for the protection of these coasts makes some sense. However, it is quite disingenuous to distribute these funds to coastal States across the country which have a moratorium on offshore drilling.

Presently, 98 percent of our offshore production comes from the Gulf of Mexico and the western Gulf of Mexico. These States include Texas, Mississippi, and Louisiana. They shoulder the risk of offshore drilling, so it would be prudent that they should receive 98 percent of the funding in this title if we are going to do what the title says: provide coastal assistance to the States that are being impacted by offshore drilling.

Currently, Title I is so broad that it provides funding to many coastline States, even those where there is some, none, or only partial OCS leasing is taking place. For example, 30 States and five territories would receive funding under this title. If 30 States and five territories were producing oil and natural gas off their coast, this Nation would not be dependent on oil imports for more than 50 percent of our oil needs, as we are now.

As my colleagues can see from this chart, this is not the case. In fact, since we began collecting OCS royalties in 1953, the U.S. has collected \$127 billion, \$115 billion of which has come from production in the Gulf of Mexico. That is clear on this chart.

The amendment I am offering today would merely allow these States which currently allow offshore drilling to receive the majority of funding under Title I of the bill. These States are the logical recipients of any coastal program designed to mitigate the impacts of OCS activities. I urge my colleagues to consider this common sense amendment.

This chart does not really give us the full story, because, and I again emphasize, 98 percent of our offshore production comes from the Gulf of Mexico and the western Gulf of Mexico and essentially is limited to three States and a portion of Alabama. Yet, the bulk of this distribution of this fund goes to States, coastal States that ban offshore drilling because of a moratorium.

I have to say that the moratoria are included in the Interior bill, which I chair. Why? Because I recognize it is the will of the majority of this Congress that there should be no drilling offshore in Alaska, offshore in California, offshore in Florida, and a number of the Eastern States. I recognize that this is the will of the body.

But by the same token, those States want to get a big chunk of the offshore revenues, even though the coastal impacts are limited essentially to three or four States. If we were to do anything that would be fair, we should give the bulk of the revenues to the States that are suffering the bulk of the impact of offshore drilling.

I would suggest to the sponsors that they ought to amend this bill and make it fairer and recognize the facts of life. That is that the Gulf of Mexico States are bearing the burden of offshore drilling, and obviously to the benefits of all of us. Because without that production, we would have a far more serious crisis.

□ 1845

We are indebted to those States for allowing drilling and we should reward them accordingly.

I find it eminently unfair to have a bill that says that the Gulf of Mexico States should produce the oil, should take the impact of all the on-shore environmental problems, and yet ship the money to California, that has a ban, a moratorium, and today produces very little off-shore oil; ship the oil to Alaska, that has a moratorium, and yet would get a big chunk of money. I cannot understand how that could be considered fair, and I am quite sure the sponsors would not want to do something that is unfair in their treatment of the States.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I claim the time in op-

position, and I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. YOUNG of Alaska. Mr. Chairman, is the gentleman from California (Mr. GEORGE MILLER) going to claim the full 10 minutes or is he going to yield time to me?

Mr. GEORGE MILLER of California. If the gentleman would like to split the time in opposition, that would be fine.

Mr. YOUNG of Alaska. If the gentleman would not mind doing so, because the gentleman from Louisiana (Mr. TAUZIN) would like to speak.

Mr. GEORGE MILLER of California. Mr. Chairman, I will then yield the gentleman from New Jersey (Mr. PALLONE) 2 minutes.

The CHAIRMAN pro tempore. Without objection, the gentleman from Alaska (Mr. YOUNG) will control 5 minutes in opposition, and the gentleman from California (Mr. GEORGE MILLER) will control 5 minutes in opposition, and the gentleman from New Jersey (Mr. PALLONE) is recognized for 2 minutes.

There was no objection.

Mr. PALLONE. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to this amendment and all destructive amendments to the bill. I supported the previously passed manager's amendment, and I would like to see the bill move forward.

At all levels of government, New Jerseyans and people across the Nation are showing great interest in conserving open space to enhance not only their own lives, but those of the plants and animals that depend on healthy ecosystems for survival. In my years as a Member of Congress, I cannot think of a more important environmental initiative on which I have had the pleasure of working.

Mr. Chairman, I want to thank the sponsors of the bill, the gentleman from Alaska (Mr. YOUNG), the Chairman of the committee, and the ranking member, the gentleman from California (Mr. GEORGE MILLER) for welcoming the improvements that have been made to the bill, especially those recently suggested by myself and the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from New York (Mr. BOEHLERT) that were reflected in the manager's amendment that we just passed.

Our bipartisan agreement will ensure that the bill does not include major incentives to encourage future oil drilling off our fragile coastline, and, in addition, it will create a new land acquisition and easement program to protect non-Federal lands of regional or national significance.

Ultimately, CARA will provide \$2.8 billion annually to State and local communities. Under the bill, my home State of New Jersey would receive approximately \$60 million each year, and this funding could be used for coastal conservation, impact assistance, preservation of farmland and open space, or

even helping protect the delicate ecosystems of the Pinelands and Highlands regions of the Garden State.

There is no question that CARA is an important bill that deserves to move forward. Any further changes to the bill beyond the manager's amendment would slow the momentum the bill needs to gain serious consideration in the Senate. The House should provide the solid vote this bill deserves, the one reflected by its broad cosponsorship, to keep CARA moving in the right direction.

While I am incredibly supportive of this bill, I believe it is a work in progress. We must not lose achievable opportunities to ensure full protection for our coasts, wildlife and public lands. I look forward to working with other members and the Administration to ensure that this bill lives up to its promise.

I remain concerned about the integrity of the federal Land and Water Conservation Fund. I want to ensure that the final legislation provides for full, permanent and secure funding for the LWCF and that the money is actually spent each year. We must also make certain that our land management agencies are comfortable with the changes made to the program. Furthermore, I believe that additional provisions are needed to ensure that wildlife protection funding is spent where it is most needed.

It is for these reasons I urge my colleagues to join me in supporting CARA and the manager's amendment, and in opposing all destructive amendments. We have an opportunity today to preserve other national heritage for tomorrow. The time to act is now.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN).

(Mr. TAUZIN asked and was given permission to revise and extend his remarks.)

Mr. TAUZIN. Mr. Chairman, I thank the gentleman for yielding me this time and wish to state that there are a number of reasons why we should all oppose this amendment.

Let me first thank my friend, the gentleman from Ohio (Mr. REGULA), for making the case that, in fact, our States along the Gulf Coast produce indeed the great bulk of this money. The Gulf of Mexico produces, and has produced, nearly \$127 billion, he tells us, I thought it was 122 billion, not million, dollars to the Federal Treasury over the years of production. But keep in mind that these are the reasons why this amendment, I think, should fail.

Number one, the formula for sharing revenues from the offshore is not my formula, it is not the formula of the gentleman from Alaska (Mr. YOUNG) or the formula of the gentleman from California (Mr. GEORGE MILLER). It is a formula derived by minerals management after deep and intensive study of what would be a fair allocation of offshore revenues. To do what? To solve coastal impact problems of not just my State, where the problems are severe, but States all over America.

So all coastal States with similar problems share in the formula devised by minerals management.

Secondly, this bill was designed to be drilling neutral. Now, I would love to pass legislation to encourage people that have moratoriums to lift their moratoriums and make the same contribution we are doing in Louisiana, but this is not the bill. We decided from the beginning this bill would not be an incentive program for production, it would simply be a fair sharing of revenues for the problems of coastal impact assistance.

And, third, I think we need to look at the effect of this amendment. I know my friend did not intend it, but by the language he chose, the new coastal States, as he would define them, would include the Great Lakes States of Ohio, Illinois, Indiana, Michigan, Pennsylvania, and Minnesota, but it would leave out California. It would leave out Alabama, one of the Gulf Coast States where the production occurs.

So it is a defective formula even if it was the right thing to do, and I do not believe it is the right thing to do.

Now, here I am, a Louisianian, standing here and asking my colleagues to vote against an amendment that my State would incredibly benefit from. It is still the wrong thing to do. We ought to defeat this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I thank the gentleman for yielding me this time. I would like to also thank the gentleman from Ohio for his generosity to the State of Louisiana. If this amendment is enacted, Louisiana would gain about \$200 million.

But this bill was borne about balance. Now, my colleague, the gentleman from Louisiana (Mr. TAUZIN), talked about the formula. The intent of the amendment, I understand, and I applaud the gentleman from Ohio for doing it, but the balance was struck in the formula. Fifty percent of the title I dollars, fifty percent are weighted on producing States, 25 percent on the amount of shoreline and 25 percent on the population along those coastlines.

So this was the balance that was struck because this is a bill not only about producing States, not only about States that bear a lot, in Louisiana's case, 90 percent, over 90 percent of the money that comes into this fund comes off the shore of my great State, but this bill was borne about balance. This upsets that balance and it ought to be defeated.

I also would like to say that the balance here was struck also in other areas, and we will hear a lot more about that in the next few amendments. I might add, in conclusion, that the gentleman from Louisiana (Mr. TAUZIN) left out the State of Florida that would not be a producing State and would not participate in this. The State of Florida has a beautiful coastline. Miles and miles of white sandy beaches that my children and I go to in the summers.

So I urge my colleagues, please, do not support this amendment.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong support of this amendment because I think it is utterly fair that those States that are producing States are the ones that should reap the benefits. The interstates in this Nation do not reap the benefits because they are not coastal States that are producing States. So I really am very supportive of this very fair amendment.

Talk about being fair, this debate has addressed the willing buyer, willing seller, as if it was protection for private property acquisition. But, actually, the former California Director of the State Fish and Game and former President of the National Wildlife Federation, Mr. Ray Arnette, states in a letter that, "Despite the best intentions of its authors, CARA fails on all accounts. It spells disaster for property owners. Overzealous regulators, joined by environmental pressure groups and other extremists, will make folly of the willing seller clause by harassing owners of properties targeted for acquisition and distracting potential buyers. Very few families and small businesses in particular have the financial and emotional ability to stay over an extended period, governmental agencies and foundation-funded, richly financed pressure groups."

I think he sums up my views about the true effect of these paper-thin protections best in stating, "It is not possible to negotiate as a willing seller when the government is the only buyer."

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Chairman, I rise reluctantly in strong opposition to the amendment of my friend, the gentleman from Ohio (Mr. REGULA).

Mr. Chairman, I want to speak very briefly about an amendment offered by my friend, Chairman REGULA. The Regula amendment would prohibit funds in the bill from going to States that have moratoria on outer continental shelf (OCS) oil and gas leasing. For the last decade and a half, the Florida delegation has worked diligently to include in the Interior appropriations bill a moratorium on further oil and gas leases off the Florida coast. Most in Florida remain concerned about the effects of oil drilling on our sensitive marine environment. While the annual moratorium provides a stop-gap solution to this issue, it is far from ideal and actually shortchanges all parties involved.

In fact, every member of the Florida delegation has cosponsored legislation I introduced to impose a permanent policy for Florida offshore oil drilling. H.R. 33 would call for a "time-out" period, during which a joint State-

Federal commission of scientists and other interested parties would work to craft a non-political, science based decision as to which areas—under what conditions—are appropriate for oil drilling off the Florida coast. Even with the support of the entire Florida delegation, civic and business groups across Florida, and current Governor Jeb Bush and his predecessor, Governor Lawton Chiles, we have been unable to get more than a few hearings on H.R. 33 in the resources committee. So, we are forced to continue advocating the stop-gap annual moratorium. Florida seeks merely to be a wise steward of its natural resources, ensuring that any activity off our coast does not adversely affect our unique environment. Chairman REGULA wants to deny Florida funding under this bill because of that moratorium. I agree with the basic premise of his argument.

The moratorium which he carries each year on the Interior bill is not the best solution to this issue. But I do not believe that the solution is to lift the ban and move forward on oil activity off the Florida coast absent the kind of science based approach outlined in H.R. 33. Nor do I believe Florida should be punished for trying to be a good steward of its resources. So I would encourage Mr. REGULA to join us in support of H.R. 33. Indeed, I might even go so far as to suggest that my good friend could solve this issue once and for all by attaching H.R. 33 as a rider to the Interior appropriations bill—as a replacement for a moratorium he and I both find unsatisfactory.

Mr. Chairman, I strongly encourage my colleagues to support H.R. 701 and oppose the Regula amendment.

Mr. YOUNG of Alaska. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Alaska (Mr. YOUNG) has 3 minutes remaining, the gentleman from Ohio (Mr. REGULA) has 2 minutes remaining, and the gentleman from California (Mr. GEORGE MILLER) has 1½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I thank the chairman for yielding me this time.

Let me make two quick points. The first is that this process started with this bill being funded with a new tax. The new tax was on recreational equipment; everything from binoculars to backpacks to off-the-road vehicles to anything else one could think of that had to do with outdoor recreation. I did not think that was acceptable, and I did not support it. And I told the chairman so, and I told the gentleman from California (Mr. GEORGE MILLER) so, and they worked out what I think is a very fair system.

Point number two that I want to make is that Members from California who support the destructive amendment of the gentleman from Ohio (Mr. REGULA) are voting to cut \$67 million from California's share of this pie. Members from Florida voting for the Regula amendment would cut \$68 million from Florida's share of this program. Members from my home State of New Jersey should realize that we

would lose \$20 million. And colleagues from New York, as the gentleman from New York (Mr. BOEHLERT) is, that State would lose \$40 million.

Now, I want everybody to think about that when they go back home this fall. Colleagues from Virginia will lose \$17 million; those from the State of Washington will lose \$15 million; and those from Puerto Rico will lose \$8 million.

Now, I have this sheet, which I will put in front of the podium, and when my colleagues all come down to vote on this amendment, I hope they will take a look at this sheet before they cast their votes.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today in strong support of CARA, the Conservation and Reinvestment Act, and in opposition to this amendment and all other amendments.

I would like to thank the chairman, the gentleman from Alaska (Mr. YOUNG) and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for all of their hard work on this piece of historic legislation. This bill will restore our national commitment to America's natural resources.

CARA redeems the solemn pledge made over 30 years ago to reinvest the profits from off-shore energy production back into our natural resources. CARA will fulfill the promise of steady and certain funding for public lands. CARA will support State and local efforts to protect our wildlife and to preserve and protect our local green spaces.

Our coastal resources are under increasing pressure from population growth, expansion of coastal tourism and recreation, increased maritime traffic, threats to our water quality, and loss of essential fish and other coastal habitats. CARA is essential in helping to combat this growing problem.

Mr. Chairman, I urge Members to oppose this amendment and all other amendments to the bill. It is important that the integrity of this bill remain intact for this carefully crafted bipartisan bill.

Mr. REGULA. Mr. Chairman, I yield 30 seconds to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding the 30 seconds, and I think he started off his comments by saying that he was not too optimistic about the passage of his amendment.

Just in the event, however, it does pass, I would like to inform the gentleman and the chairman of the full committee that I intend to offer a perfecting amendment, inasmuch as the boundaries now in Alabama would be divided. In a portion of our State, we have a moratorium, and another portion we do not. Under the gentleman's

amendment, even though we are allowing the production and exploration, we would receive nothing.

I am sure that the gentleman, and the chairman as well, would accept that, in the event that the gentleman's amendment is adopted.

□ 1900

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, there is no Member of this body that I respect and admire more than the gentleman from Ohio (Mr. REGULA), but on this issue we simply disagree.

This amendment would not only kill CARA, it would be a step in the wrong direction at any time on any bill. This amendment is designed to weaken support for the moratorium on offshore oil drilling. This amendment in effect would punish States that do not allow drilling off their shores.

The drilling moratorium has been a good and sensible policy and should not be interfered with, least of all in this bill.

Some others also offer the argument that it is only fair to give title I money to States that are willing to accept the costs of oil drilling, but that is based on a misunderstanding of title I. Title I is not exclusively, or even primarily, an oil impact mitigation program. It is a program to help coastal States with a full range of problems they face, problems all coastal States face regardless of whether oil is drilled off their shores.

I must urge everyone who supports CARA and everyone who supports the moratorium on offshore oil drilling and everyone who supports addressing the full range of coastal issues to oppose this amendment. Let us keep CARA moving forward.

Mr. Chairman, I rise in strong opposition to this amendment. There is no member of this body that I respect and admire more than I do Chairman REGULA. But on this issue, we simply disagree.

This amendment would not only kill CARA; it would be a step in the wrong direction at any time on any bill. This amendment is designed to weaken support for the moratorium on off-shore oil drilling. The amendment, in effect, would punish states that do not allow drilling off their shores.

That's particularly ironic to do as part of CARA. CARA gives more money to oil producing states precisely because it recognizes the environmental and other costs that such drilling imposes. And now we're going to try to use federal funds to force other states to suffer these problems as well?

The drilling moratorium has been a good and sensible policy and should not be interfered with—least of all this bill.

Now, some also offer the argument that it's only fair to just give Title I money to states that are willing to accept the cost of oil drilling. But that is based on a misunderstanding of Title I. Title I is not exclusively, or even primarily, an oil impact mitigation program. It is a program to help coastal states with the full

range of problems they face—problems all coastal states face regardless of whether oil is drilled off their shores.

So I must urge everyone who supports CARA and everyone who supports the moratorium on off-shore drilling and everyone who supports addressing the full range of coastal issues to oppose this amendment. Let's keep CARA moving forward.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this amendment. I know that the gentleman from Ohio (Mr. REGULA) has struggled long and hard over many years with the problems of moratorium in his committee, but each and every time this Congress has decided that it would not punish those States that had a moratorium. Also, as the gentleman from Alabama (Mr. CALLAHAN) points out, it causes problems for States like Alaska, California and Alabama, where we are still producing, but we have moratoriums. Those moratoriums were put there by Republican governors, Republican presidents and State legislatures, and that is what the elected officials decided.

As the gentleman from New York (Mr. BOEHLERT) has pointed out, this is about the people's resources being used to protect the coast lines of this great Nation.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, let me point out and clarify something, and that is this bill defines coastal States according to the Coastal Zone Management Act, and that includes the Great Lake States, not according to OCS Lands Act. This provision is something that was established in the bill.

Mr. Chairman, let me say again this is simply a matter of fairness. Three and a half States produce 98 percent of the revenues, and yet we are proposing to share these with States, particularly the States like California and Alaska, on a much different basis.

In fact, the coastal States that are producing the revenues would get less, and I do not think that is fair. I believe a vote for this amendment is a vote for fairness in the way we manage our OCS revenues.

Now, having said that, I do not think the bill itself is a good bill, because we are giving away our responsibility that we are elected to do. We are creating a new entitlement, and this will just be the precursor of many more. I would urge a vote against the bill. I urge a vote for this amendment, simply to bring fairness to this legislation.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. FOSSELLA). The question is on the amendment offered by the gentleman from Ohio (Mr. REGULA).

The question was taken; and the Chairman pro tempore announced that the yeas appeared to have it.

Mr. REGULA. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Ohio (Mr. REGULA) will be postponed.

It is now in order to consider amendment No. 3 printed in House Report 106-612.

AMENDMENT NO. 3 OFFERED BY MR. RADANOVICH

Mr. RADANOVICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. RADANOVICH:

Page 9, line 18, after "deposited in the fund" insert the following: "that remain after the application of subsection (f) for the fiscal year,".

Page 15, after line 8, insert the following:

(f) FULL FUNDING OF PILT AND REFUGE REVENUE SHARING.—To the extent that amounts available under subsection (d) for a fiscal year are not sufficient to pay all amounts authorized to be paid for the fiscal year under chapter 69 of title 31, United States Code (relating to payment in lieu of taxes), and section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s; relating to refuge revenue sharing), amounts in the Fund shall be used to make such payments.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from California (Mr. RADANOVICH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH.)

Mr. RADANOVICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer an amendment that would fully fund the PILT program, which is called payments in lieu of taxes, and the Fish and Wildlife Services Refuge Revenue Sharing Program.

Each year we debate PILT on the floor during this appropriations time. The administration never requests full funding and the Committee on Appropriations is unable to fully fund PILT within the budget. We then see an amendment on the floor to increase funding, usually at the expense of energy research, and it always passes. Last year's amendment to increase PILT by \$20 million passed on a vote of 248 to 169.

Mr. Chairman, it is time we end the appropriations game and make the Federal Government live up to its promises through PILT. In 1976, we passed the PILT Act. We did it because Congress recognized local governments must provide essential services on our Federal lands, but they get no tax revenues from them. Local governments provide emergency medical care, search and rescue, police, fire protection, road maintenance, garbage removal and a host of other essential services. Local taxpayers pay the full cost of these services, but the benefits go to all the visitors on our Federal lands.

Congress recognized this when the PILT was created, and Congress recog-

nized it again in 1994 when we passed amendments to PILT. That year, it was necessary to update the formula to account for inflation and population changes. The House passed that bill on a voice vote, and President Clinton signed it on October 22, 1994.

Today that formula promises \$320 million in PILT payments to local governments, but we continue to fund it at only \$135 million.

Mr. Chairman, before coming to Congress, I served as a county supervisor for Mariposa County, California, and almost 50 percent of this county is owned by the Federal Government. Mariposa is the home of Yosemite National Park and parts of the Sierra and Stanislaus National Forest. None of that Federal land is in our tax base, none of the economic activity on that land is taxable in our county. Still our small communities, my hometown, by the way, has fewer than 2,000 people, provide all the basic services for more than 4 million visitors that visit Yosemite every year.

PILT recognizes that the Federal Government has an obligation to contribute to these services. This amendment would fund that obligation.

It is relevant that today we are debating a bill that would create \$2.85 billion in mandatory spending. That money will go to Federal land-related purposes. It mandates spending on new public land purchases, but what is not mandatory in this bill, and should be, is PILT.

Mr. Chairman, what is more mandatory than our tax obligation to local governments? Especially when the money goes to help support services like search and rescue, emergency medical, fire and sheriffs, all to the benefit of visitors on our Federal lands, ensuring full funding of PILT would be a big improvement to this bill.

It will uphold our obligations to counties and local communities before we provide mandatory spending for new programs, particularly for programs that remove land from our local tax base.

This amendment would fund PILT. I urge my colleagues to support it.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, how much time am I entitled to in opposition to the amendment?

The CHAIRMAN pro tempore (Mr. FOSSELLA). The gentleman from Alaska (Mr. YOUNG) controls 10 minutes in opposition.

Mr. YOUNG of Alaska. Mr. Chairman, for the purpose of controlling time, I yield 5 minutes to the gentleman from California (Mr. GEORGE MILLER) in opposition to the amendment.

The CHAIRMAN pro tempore. Without objection, the gentleman from California (Mr. GEORGE MILLER) will control 5 minutes in opposition to the amendment.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I tell my good friend the gentleman from California (Mr. RADANOVICH) that this amendment is not necessary, nor needed. If we do as the Committee on Appropriations should do, we would, under CARA, fully fund PILT.

Last year, the Committee on Appropriations funded \$135 million last year and \$10.7 million. Under this program that is not appropriated, we would, in fact, fully fund it with \$185 million and \$15 million in refuge so it would be fully funded. It would be perfectly funded for the first time.

What has to happen now, the requirement now is through the Committee on Appropriations, who has not fully funded it. I agree with the gentleman, it should be. But under CARA, for the first time, we will have the money to fully fund the program as long as the Committee on Appropriations continues to do their job.

Mr. RADANOVICH. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. RADANOVICH. Mr. Chairman, as I understand it, the historical commitment or the all-time high was \$135 million. That times two is not quite \$300 million.

The obligation to PILT is \$320 million. There is no chance that it is subject to full funding under this type of scenario because, under CARA, what was appropriated would be matched.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, CARA creates a ratio and it will be fully funded under that ratio. As long as the Committee on Appropriations continues to do as they have done in the past, we will match that under the CARA bill. It does not do it historically, but we will match it.

Mr. RADANOVICH. Mr. Chairman, if the gentleman will continue to yield, but CARA, if I may add, that their obligation is only to match what is appropriated; and what is appropriated is never even half of the \$320 million obligation.

Mr. YOUNG of Alaska. Mr. Chairman, then that is the fault of the Committee on Appropriations. But they will have more money than they have now for PILT.

Mr. RADANOVICH. Mr. Chairman, if the gentleman will continue to yield, we will have more money than we will now, but under this program, they are creating seven new mandatory programs and fully funding them when we have an unfunded PILT program that even under this bill will not be funded.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, under this bill, under the provision of the title, we are fully funding PILT under CARA as long as the Committee on Appropriations does the job that they are supposed to do.

Mr. RADANOVICH. Mr. Chairman, but they never fully fund PILT.

Mr. YOUNG of Alaska. Mr. Chairman, I have not yielded to the gentleman. I just answered the question.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think taking the same tact as my chairman the gentleman from Alaska (Mr. YOUNG), the purpose for this and in discussing this with supporters of PILT was to make sure that the Committee on Appropriations would continue to fund PILT to the level. But recognizing, as the gentleman from California (Mr. RADANOVICH) pointed out, that they have not funded it at full funding, we would then match up to \$200 million.

So they are at \$135 million. Full funding is \$247 million. We would add \$112 million to bring them to full funding. But they have got to continue their effort. So, as it is indexed, that would change.

So this was an effort by many of the people in the committee, as my colleague knows, who support PILT. And in the communities that support it, this was an effort to see whether or not we could take two pools of money and get us there to full funding.

Because the likelihood is, if we do not do that, we all know what happens in the Committee on Appropriations; their demands are much greater than the revenues that are available to them and we will never get to full funding.

Mr. RADANOVICH. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from California.

Mr. RADANOVICH. Mr. Chairman, as a point of inquiry, does CARA obligate full funding for PILT? Can the gentleman say that it obligates full funding for PILT?

Mr. GEORGE MILLER of California. Mr. Chairman, reclaiming my time, CARA obligates us to match the appropriation to take them to full funding.

Mr. RADANOVICH. Mr. Chairman, if the gentleman will continue to yield, so the most of this \$320 million obligation that has been funded has been \$135 million.

Mr. GEORGE MILLER of California. Mr. Chairman, it is \$247 million I think.

Mr. RADANOVICH. Mr. Chairman, the most in the recent years has been \$135 million. If they double that, it is \$270 million. They are still short.

I say to the gentleman, please tell me that CARA would then come in and fund all of this up to the \$320 million obligation.

Mr. GEORGE MILLER of California. Mr. Chairman, it would match the appropriations funding up to \$200 million. In this instance we are full funding this \$247 million. They do \$135 million. We would do \$112 million, to take them to \$247 million.

Mr. RADANOVICH. Mr. Chairman, but what the gentleman said previously is that CARA will match what is appropriated, correct, and then do something else, or just match what is appropriated?

Mr. GEORGE MILLER of California. Mr. Chairman, that is right. Because, otherwise, the appropriators walk away from their obligation on PILT and CARA inherits it. We are trying to augment that.

Mr. RADANOVICH. Mr. Chairman, I ask the gentleman, but CARA only matches what is appropriated?

Mr. GEORGE MILLER of California. Mr. Chairman, no. Up to, whatever it takes to get to full funding.

Mr. RADANOVICH. Mr. Chairman, so the gentleman is assuring me that, under CARA, PILT will be fully funded?

Mr. GEORGE MILLER of California. Mr. Chairman, that is how the law is written. Unless appropriations just put nothing in. That is why the match is in, to keep appropriations in the game.

Mr. RADANOVICH. Mr. Chairman, I ask the gentleman, still subject to appropriations, though?

Mr. GEORGE MILLER of California. Mr. Chairman, yes.

Mr. RADANOVICH. Mr. Chairman, but there are seven new programs that are created that are not subject to appropriations anymore?

Mr. GEORGE MILLER of California. Mr. Chairman, the CARA money is not. But the appropriators have to put up their share of the funds.

Mr. RADANOVICH. Mr. Chairman, CARA creates seven new programs that are mandatory programs that will be fully funded, while PILT is not included in that.

Mr. GEORGE MILLER of California. Mr. Chairman, this is part of that money. That is what we are trying to tell the gentleman.

Mr. RADANOVICH. Mr. Chairman, but it is still subject to appropriations when seven new programs are put under mandatory spending.

Mr. GEORGE MILLER of California. Mr. Chairman, no, there are not seven new programs.

Mr. YOUNG of Alaska. Mr. Chairman, who controls the time?

The CHAIRMAN pro tempore. The gentleman from California (Mr. GEORGE MILLER) controls the time.

Mr. YOUNG of Alaska. Mr. Chairman, I just want to remind the other gentleman from California, if CARA is not passed, how much money did they get in PILT? How much money do they get?

Mr. RADANOVICH. Mr. Chairman, if the gentleman from California will continue to yield, what concerns me is, then let us make PILT mandatory.

Mr. YOUNG of Alaska. Mr. Chairman, that is what we do under CARA.

Mr. GEORGE MILLER of California. Mr. Chairman, our share is mandatory.

Mr. RADANOVICH. Mr. Chairman, let us make PILT mandatory. The \$320 million obligation, why do not my colleagues join me in this amendment and make it fully mandatory like they have made seven other new programs that are created by this bill mandatory spending? This is an unfunded obligation.

Mr. GEORGE MILLER of California. Mr. Chairman, under CARA, that share is mandatory and it will be matched by the appropriators.

Mr. RADANOVICH. Mr. Chairman, I ask the gentleman, why does he not join me in adding PILT to the other seven mandatory programs?

Mr. GEORGE MILLER of California. Mr. Chairman, it is. To the extent to which we fund it, it is mandatory.

Mr. RADANOVICH. Mr. Chairman, it is still subject under the appropriations.

Mr. GEORGE MILLER of California. Mr. Chairman, I say to the gentleman, no. The appropriators have to do their share, as they are doing today, which is \$135 million, or whatever.

Mr. Chairman, I yield to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, if I could maybe try to explain the situation as it deals with PILT versus the appropriations.

First of all, this was about enhancement, not supplanting. So we took an historic number of what the Committee on Appropriations over the last few years has actually allocated to PILT.

Last year, in fiscal year 2000, they appropriated \$135 million.

□ 1915

The bill that is in front of us says that if the Committee on Appropriations appropriates \$100 million, at least \$100 million, then the difference would be made up through the interest payments on the bill. So what it basically would do, it is not a match, it is more of \$100 million for PILT and \$15 million for refuge revenue sharing. So if the appropriation comes up with that commitment, and these numbers were not pulled out of the air, they were historical in nature, if they make that, then CARA will enhance the rest.

Mr. RADANOVICH. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I urge the founders of this legislation to join in this amendment. Let us look at the history of PILT. Everybody says they are for PILT. PILT has never been fully funded. Why do we have PILT? We take hundreds of millions of acres out of rural counties, rural communities and we take them out of the tax base, and PILT is allowed, it says we are going to pay you so much back to help with local services.

Last year, \$320,000 million authorized, we only funded \$135 million, and that is historic. It has never been funded. If you are serious about mandating \$480 million worth of purchases by the Federal Government, \$480 million worth of purchases by the States hereafter, live up to the law of PILT. Make it mandatory funding. Do not make local governments go without services, fire services, emergency services, road services without a tax base.

Our rural lands that people go to, we need services. PILT was set up to pay for that. We pay pennies per acre. In Pennsylvania where I came from, we paid \$1.20 an acre for every acre. That was not enough, in my view. You are taking money out of the land base. PILT is a formula to help local government provide the services that are necessary for the people who are going to use that land. In fairness, join us tonight and make PILT mandatory funding so we do not have to have this battle that we have launched year after year after year. Rural America has taken it in the neck long enough.

Mr. RADANOVICH. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman from California for yielding me this time. I rise in strong support of this amendment. In fact, this amendment is the only way that logically PILT can be funded under CARA, because where the rubber really meets the road in the plain language of this bill is that PILT will be funded only if there is interest left over in the accounts, not spent by the Secretary of Interior on various other programs.

Now, you tell me when any Federal agency has money left over that can generate interest. So the bare bones fact is that there will be no money generated for PILT under the present language. All of these lands in yellow and green are lands that are dependent upon PILT for their very existence. In some counties in my own State of Idaho, only 4 percent of the counties' lands are in private holdings that provide for the necessary services that counties must fund. They are even cutting back on the number of days that they can hold school. Now, that is a shame. And fire and police and maintenance are going wanting because we have not funded PILT. But CARA will not fund PILT unless we get this amendment. Because, as I say, no agency leaves money in their funds to generate interest. That is the only way that PILT money would be funded.

Mr. RADANOVICH. Mr. Chairman, I yield myself such time as I may consume.

My concern, and I represent mainly a rural area of California. About 330,000 acres were just taken up in the Sequoia National Monument, displaced about 100 workers and cost my communities that have about 16 percent unemployment about \$8 million in revenues a year. I am concerned about this bill because I do not agree with any further Federal funding being spent on States or counties that have more than 50 percent Federal land ownership, because you are taking tax base revenues away from counties. The problem that I have with CARA is that there are seven new programs being created that require mandatory spending: Coastal impact assistance, Land and Water Conservation Fund, Federal Aid in Wildlife Restoration, Urban Parks and Rec-

reational Recovery, National Historic Preservation Act, Indian lands restoration, farmland protection easements and endangered species recovery. I understand a lot of people think that those programs are good and I see some merit in quite a few of them. But when you are taking away the tax base from small counties that have to provide emergency services at their local levels in rural areas, you are treating rural areas unfairly. That is why I think PILT in this bill and my amendment would make it mandatory. There would not be any question that the obligation, created by PILT was passed by this Congress, would not be met. If you vote to pass my amendment, it means that PILT, those counties that provide all of the services for the local people in the rural areas would be included in this preferential category of mandatory spending. It would fully fund that \$320 million obligation annually, would not subject it to the whims of the Congress through the Committee on Appropriations.

If it is good enough for environmental measures, it is good enough for those that guard and protect and enhance human life in small rural counties. For that, I hope that people will support this amendment and vote it in.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Alaska. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. FOSSELLA). Does the gentleman from California yield for a parliamentary inquiry?

Mr. RADANOVICH. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. I had 2 minutes left for closing. I did not know the gentleman was closing, that he was speaking on the remaining 5 minutes he had. Do I still have the right to close or do I have to use up the time?

The CHAIRMAN pro tempore. The gentleman from California is just exhausting his own time. The gentleman from Alaska still has 2½ minutes remaining.

Mr. RADANOVICH. May I inquire of the remaining time that I have?

The CHAIRMAN pro tempore. The gentleman from California has 1 minute remaining.

Mr. RADANOVICH. Mr. Chairman, the only point that I want to make is that those who provide services in rural America that are getting blighted by this kind of Federal land purchase dollars deserve the right to have PILT funded on a mandatory basis and not subject to appropriations, just the way these other seven programs that you have created for Federal land purchases in blighting rural communities and putting them all on welfare deserve to have that right, too. So I hope that people will vote for my amendment and make PILT mandatory.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

I would tell the gentleman I am very sympathetic and would support his amendment if we had not reached this agreement in the delicate balance which we did arrive at. I want to, again, stress that last year the Committee on Appropriations, by the way, because there are certain individuals in the Committee on Appropriations that do not like this bill, if they had been doing their jobs, they would have fully funded it.

In fact, the Committee on Appropriations owed this America \$13 billion which was collected in offshore development that we said we were going to spend, we spent it for other reasons. This is what I am very concerned with. I want to remind the gentleman that last year the Committee on Appropriations only funded \$135 million for PILT, \$10 million for the refuge sharing program. What we tried to do and, by the way, this was insistence from one of the Western Caucus members that we consider the PILT.

We tried to take and say, all right, we will fully fund it with the help of the Committee on Appropriations, which we do. After we did that, the National Association of Counties supports the bill. It is their interpretation that it is the full funding. I can assure the gentleman, I may not be on this committee next year, I will be the vice chairman of this committee, it is my intent to make sure that this does occur. I hope he has a little faith in what we are trying to do here because I think he is absolutely correct. To have a small community have to shoulder the burden for the national good is wrong. They ought to be reimbursed for those lands that are taken out of production. But we thought we were doing it. We really thought we had a formula here. Really this idea came from the National Association of Counties. That is who we were working with.

Mr. RADANOVICH. If the gentleman will yield, it does not give this Congress the right to further fund programs that are causing further harm to rural America without giving them any further assurance that their problems are going to be solved.

Mr. YOUNG of Alaska. We are attempting to make sure that any lands that are acquired, it takes it off the tax roll, that there is full reimbursement for those small communities. I understand the problem. We have gone from 7.5 in 25 years to 1.5 of rural community. I understand the problem, because I have this affecting me in Alaska. But we were trying to do something correct. Very frankly I think we did do something correct. We fully funded it.

Mr. RADANOVICH. The problem is that you provide no assurance that these PILT obligations are going to be met. Then you are wildly increasing funding for more of the same programs.

Mr. YOUNG of Alaska. We claim there has been no land purchased, number one, under my program. There has

been land purchased under the other program, about \$480 million a year, which you voted for, by the way, \$480 million a year for the last 6 years which we have been in control. I just want people to remember that.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. RADANOVICH).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. RADANOVICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from California (Mr. RADANOVICH) will be postponed.

It is now in order to consider amendment No. 4 printed in House Report 106-612.

AMENDMENT NO. 4 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TANCREDO:

Page 10, line 2, strike "\$900,000,000" and insert "\$450,000,000".

Page 10, line 8, strike "\$125,000,000" and insert "\$350,000,000".

Page 10, line 17, strike "\$100,000,000" and insert "\$225,000,000".

Page 10, line 24, strike "\$50,000,000" and insert "\$150,000,000".

Page 11, line 5, strike "\$2,825,000,000" and insert "\$2,700,000,000".

Page 30, beginning at line 24, strike "Act—" and all that follows through page 31, line 5, and insert "Act, 100 percent shall be available only for grants to States."

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from California (Mr. GEORGE MILLER) each will control 10 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume. As we are all aware, there is more to CARA than just land acquisition. It is a bill that was designed in part to combat the fast paced growth of urban areas. I am pleased to offer this amendment with the gentleman from California (Mr. POMBO) to direct our efforts toward mitigating the impacts of urban and suburban growth. I represent two of the fastest growing counties in the United States, Jefferson and Arapahoe County in Colorado. Having witnessed this growth firsthand, it perplexes me that the focus of the debate surrounding this bill should remain squarely on Federal land acquisition. CARA provides other mechanisms to meet our environmental obligations, especially in those suburban areas which are most impacted by rapid growth.

Under our amendment, funding to the Urban Parks and Recreation Re-

covery program, or UPARR, will increase by \$225 million over the current bill, improving the quality of life and environmental integrity of the urban areas. If we are going to spend this money, let us spend it where people can experience these improvements on a day-to-day basis.

We will increase funding to the farmland protection program by \$125 million. In Colorado, I would argue that the farmers of Jefferson, Arapahoe Douglas and Boulder Counties should be listed and protected as an endangered species themselves. Instead, they are under attack by the current endangered species policies of the Federal Government and they are afforded little, if any, help by the same Federal Government to protect their property. Our amendment can fix that.

Our amendment offers a substantial increase in the funding made available to the endangered species recovery programs in title VII of this bill. If we want to recover a species of wildlife that are declining in population, let us do it by addressing the issue and not by acquiring more land. Make no mistake, this amendment does not prohibit the Federal acquisition of land. We can still pay for that through the normal appropriations process. However, it does remove a fund designated for that purpose.

I challenge the notion that land is actually preserved by Federal land acquisition. It is true that development on that land may be prevented, but the Federal Government must become the steward of this land for the years to come once it obtains that land. In Colorado, even the United States Forest Service does not pretend that our national forests are healthy. They are diseased, infested and their roads and trails are deteriorating as well. We should provide local landowners, farmers and local governments the financial resources to better care for these lands themselves.

If my colleagues want to address the issue of urban sprawl or urban growth, then let us allocate the money in this bill in a way that actually reflects that purpose. A dedicated fund for Federal land acquisition will not prove to be the answer. By and large, it will be a burden. Instead, let us empower our localities and property owners to better manage their own land. This amendment is a long-term solution to a long-term challenge that our country faces.

Mr. Chairman, I reserve the balance of my time.

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Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment. This is an amendment that essentially guts this legislation, because the authors of this amendment are very much aware of how valuable the people of this Nation hold the Federal expenditures that we make under the Federal Land and Water Conservation

Act. This is the program that we use to preserve the headwater forests, the great redwood forests in northern California. This is the program that we use to preserve the Baca Ranch in New Mexico, the great holdings that are supported by the people of that State, the people of the region and across this Nation to protect those lands. This is money that we use to try to protect the great Everglades, as we have tried to restore the Everglades. There is overwhelming support across this Nation for the protection of the Everglades and the augmentation of the Everglades so that we can try to clean up the water pollution problems and the other problems that we have there.

That is what the Federal Land and Water Conservation Act does. It is not a matter of trading in this money for money that would go to State or suburban programs. This bill is about a balance, about a balance of the amendment that we just heard before, trying to help out counties with PILT payments, about a balance of trying to help the Federal Government meet its obligations to protect the great assets, what many people consider the wonders of the world, the Zions, the Arches, the national parks, the Grand Canyon, the Grand Tetons, Yosemite, King's Canyon, all of these areas that are so dramatic that are under threat. We have people who have areas inside of those parks who want to sell those lands who have inholdings who want to get out. This is the means by which we do that.

This is very, very important. Let us not act like this is some new land rush that was \$450 million. This was set back in the 1970s, this amount for Federal land acquisition. The Committee on Appropriations appropriated somewhere around \$300 million or so for Federal acquisition, and they do it at the request of the Members of Congress. Elected officials walk into the Committee on Appropriations and ask, and they ask that these lands be acquired in their State, in their congressional district, as do Senators. Under this process, if those are authorized by the Congress of the United States, only if they are authorized by the Congress of the United States, and if they are submitted by the President of the United States and the Committee on Appropriations approves them and the authorizing committees approve them, then and only then will they be acquired for the people of the United States of America.

Very shortly, school will be out, the summer season will start, and millions of Americans will travel across this country to see these great assets, to see what we call the crown jewels of the Federal land system. Millions of Americans will power into Yosemite, into the Grand Tetons, into the Grand Canyon, into the Everglades, into the Great Smokies. All of those parks are under threat. This is the source of revenues that we try every year to protect those and to augment others that are worthy of being in this system.

Mr. Chairman, to kill this is to kill the Federal Government's ability, the Federal Government's ability to protect those resources and to enhance those resources on behalf of all Americans. It is not just that the Yosemite is in California, because people come from all over the country and all over the world. These are dynamic engines of economic activity around Yellowstone, around Yosemite, around the Everglades, and it is important that we take care of them. That is what Federal land and water conservation funding does. This amendment guts that proposal. It guts that effort. This money is erased from the bill.

Mr. Chairman, it is not about trading it off, as the gentleman has said, to sprinkle it through the other programs. Those programs were funded in this legislation, in the balance, in the balance that was achieved by long, tough, difficult, bipartisan negotiations with many, many, many of the interest groups, outside interest groups, those who are concerned about national parks and fish and wildlife and habitat and hunting and fishing and all of the rest. So we ought not to gut this bill with this amendment, and I would hope that the House would overwhelmingly reject this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, did the gentleman yield 5 minutes to us?

Mr. GEORGE MILLER of California. Mr. Chairman, I am happy to yield.

Mr. YOUNG of Alaska. Mr. Chairman, how much time did the gentleman from California yield to me?

The CHAIRMAN pro tempore (Mr. FOSSELLA). The gentleman from California (Mr. GEORGE MILLER) has 5½ minutes. He controls the time.

Mr. GEORGE MILLER of California. Mr. Chairman, I meant to yield the remaining time to the gentleman from Alaska (Mr. YOUNG).

The CHAIRMAN pro tempore. Without objection, the gentleman from Alaska (Mr. YOUNG) now controls the 5½ minutes remaining.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the net effect of this amendment is to take \$500 million out of the Land and Conservation Fund, which monies are used as one of a number of tools that we have to preserve open space: acquisition. Now, I understand to some in this room that the word "acquisition" has a negative meaning, but to those of us who represent States and communities, or let us just say on the East Coast between Boston and Florida, this tool is extremely important.

In my district, for example, every year I go to see the gentleman from Ohio (Mr. REGULA) and I ask for funds

to expand the Forsythe Refuge; Ed Forsythe was my predecessor and they named the wildlife refuge after him. We have so much development pressure in New Jersey that we have programs to retire development easements. We have so much development pressure in New Jersey that we have used State Green Acres money to buy land. We have so much development pressure that we use Land and Water Conservation monies to preserve open spaces through acquisition. It is usually sensitive land. It is usually land where we as human beings have no business building housing developments or shopping centers or parking lots or whatever other uses these lands may have.

Without these funds, Members will lose a good deal of the abilities they have to help the folks back home live in an environment that has conservation policy that is good for the folks back home.

So as well-intended as this may be, it is destructive to the process that we are all involved in in trying to maintain a quality environment with open space in the coastal States that are highly developed and under development pressure.

Mr. TANCREDO. Mr. Chairman, I would inquire as to how much time remains.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. TANCREDO) has 7 minutes remaining.

Mr. TANCREDO. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I rise in support of the amendment, but against the bill. This is very, very interesting, what we have going on here. Everybody is talking about how the Federal Government has to own it. The Federal Government has to own it, or else it does not seem to count for the proponents of this bill. The Federal Government seems to have the franchise on environmental consciousness. Of course we do not want the private property people in on it because of private ownership, and the State governments which, under the Tancredo amendment, are not only supported, but encouraged to buy the land. The State governments are not given any credit.

We do not hear from the proponents of CARA which, as we all know, stands for Congress abdicating the rights of Americans, because what it is is we are running from our responsibilities of voting for land acquisitions or voting against land acquisitions. We are going to turn it over to other people.

Mr. Chairman, the curious thing is that the proponents of CARA do not say how much land we should own. I will ask them, can any of my colleagues who are supporting CARA tell me how much Federal land we should own in this country?

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from California, and I just want

a quick answer. Twenty-five percent, thirty-five percent, forty percent, fifty percent? How much?

Mr. GEORGE MILLER of California. Mr. Chairman, they will make that decision under the democratic process, just like the gentleman from Georgia (Mr. KINGSTON) asked us to buy Cumberland Island.

Mr. KINGSTON. Mr. Chairman, reclaiming my time, regular order, please, Mr. Chairman.

The question is, how much land should the Federal Government own? Twenty-five percent, 35 percent, 40 percent, 50 percent? The lead cosponsor of this bill cannot answer the question and instead gives us this fishy answer.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from California. I will give the gentleman one more shot. How much, 50 percent?

Mr. GEORGE MILLER of California. Mr. Chairman, the gentleman will let me answer, right?

Mr. KINGSTON. Absolutely. I am looking for a percentage, 25 percent, 50 percent? How much land should the Federal Government own?

Mr. GEORGE MILLER of California. Mr. Chairman, the fact is, in recent years Federal ownership of land has been going down, so that is the trend, that is the trend. Mr. Chairman, if I can finish my answer.

Mr. KINGSTON. Mr. Chairman, reclaiming my time.

The CHAIRMAN pro tempore. The gentleman from Georgia's time has expired.

Mr. KINGSTON. Mr. Chairman, I reclaimed the time before it expired.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. TANCREDO) controls the time.

Mr. TANCREDO. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I want to say to the gentleman, I will be glad to continue the dialogue under the gentleman's time. But here is the question. They do not know how much Federal land we should own. Right now it is 32 percent. Basically, that is everything east of the Mississippi River. Now, how much should it be? Maybe the current 32 percent is not enough. Maybe we should have 50 percent in Federal Government hands. I do not know. I wish the people who are pushing CARA, \$2.8 billion a year in Federal acquisition money for 15 years, could tell us.

The point is, we are concerned on behalf of our State governments, on behalf of private landowners that this is a Federal Government land grab, and we are very concerned about that.

Mr. Chairman, I am a member of the Subcommittee on Interior of the Committee on Appropriations, and as the gentleman from New Jersey (Mr. SAXTON) says, colleagues come to our committee every year for this land in

New Jersey and we have been supporting it. We will continue to support it under the Tancredo-Pombo amendment. What is wrong with that? That is the constitutional process laid out by our Founding Fathers in 1789. But suddenly, that is not good enough. We have to have this new law.

I urge my colleagues to look at this very carefully.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I rise in opposition to this amendment.

This amendment would eliminate the bill's provisions for land acquisitions, eliminate the provisions for land acquisitions by Federal agencies, and instead, increase the emphasis on assisting the States and local governments. Do not get me wrong; I want to assist the States and local governments, but sometimes Federal acquisitions are appropriate and necessary.

Three examples in Colorado that exist right now. We are trying to get a bill through this body that would authorize acquisition of lands next to the Great Sand Dunes National Monument, partly for addition to that unit of the national park and also to create a wildlife refuge. Secondly, there is a need to acquire inholdings in the Black Canyon of the Gunnison National Park we just created in this body. Thirdly, right in my district, right in my district there are lands in the Beaver Brook watershed that the City of Golden wants to sell for addition to the Arapaho National Forest. This proposed acquisition has broad support and needs to go forward on a priority basis.

These are just a few examples in Colorado. It is clear that this amendment is a poison pill. In Colorado, 35 percent of our lands are owned by the Federal Government. As a Coloradan, as a Rocky Mountain Westerner, as an American, we ought to pass this bill but defeat this amendment. This is nothing but a poison pill.

Mr. TANCREDO. Mr. Chairman, may I inquire again as to how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. TANCREDO) has 4 minutes remaining; the gentleman from Alaska (Mr. YOUNG) has 2½ minutes remaining.

Mr. TANCREDO. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. POMBO).

The CHAIRMAN pro tempore. The gentleman from California (Mr. POMBO) is recognized for 4 minutes.

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding and I thank the gentleman for cosponsoring this amendment.

We have heard a lot of things about this amendment, most of which have absolutely nothing to do with this amendment. What this is all about is the Federal acquisition of new land. It has nothing to do with Yosemite or

Yellowstone or the Grand Tetons or any of the other stuff. They are already federally owned. The Federal Government already has those.

This map will probably be shown quite often tonight. This is Federal ownership of land. Everything we see colored on here is Federal ownership of land.

What this amendment says, quite frankly, is the Federal Government already owns enough land. They do not need to buy more. Now, everybody that is coming down here tonight is talking about all the great things this bill is going to do. We heard people one right after another coming down. They are talking about their urban parks, they are talking about protecting their wetlands, they are talking about doing things so that their States can buy land. They are talking about all of these things. Well, I say to my colleagues, that is what this amendment puts more money into. It puts more money into urban parks, it puts more money into our endangered species recovery. It puts more money into protecting farmland. All of the things my colleagues have been talking about.

All I am saying is the Federal Government owns enough land. Now, if there is something that is that important, if there is something that we really need to buy, then sell something and buy it. The Federal Government owns 700 million acres of this country already.

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All of that is not environmentally sensitive. All of that is not important to be held in public trust. They can sell some of it and buy something, if they want to. But if Members really do care about urban parks, about protecting farmland, about protecting endangered species and doing endangered species recovery programs, this gives more money, \$450 million a year in more money for the things they say they want. That is why they are supporting this bill.

Nobody has the courage to come down here and say they think the Federal government ought to own more land. They own one-third of this country already. They own too much already. Members know that. Members know they own too much already.

Talk about State ownership, in the 13 Western States alone, the States own 142 million acres, besides the literally hundreds of millions of acres that the Federal government owns. In my State of California, the government owns over half of the State. Everybody thinks California is this developed, packed State. Over half of the State is owned by the government, over half of it.

When we talk about government ownership, do Members realize that the 700 million acres that the government owns, that the Federal government owns, that half of that is held with some kind of conservation easement? It is held as National Park Service land,

as wildlife refuge, as wilderness area. Three hundred fifty million acres is already held with a conservation easement on it. How much do they want?

They say they are in favor of this bill because of all the great things it does. We do not take a dime away from any of that. What we are saying is, the Federal government owns enough land. If Members really want to protect urban parks, really want to put money into protecting farmlands, really want to put money into protecting endangered species, this is the amendment that does it. This is the one Members have to support.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I see the gentleman from Ohio (Mr. REGULA) standing there. This discussion about we own too much land, the gentleman from Ohio (Mr. REGULA) tells us this year that the demands from Members of Congress far exceed what this committee could do; that over the vast majority of this Congress go before that committee and they ask, would the Federal government please purchase this inholding, will they expand this boundary, will they provide this new section of park, will they provide this unit?

That is the fact of the matter. That is the democratic process. Members of Congress represent their constituents and make these requests. In recent years, the total land mass has gone down. I think we should trade out and swap out more lands. I agree with all of that. The fact of the matter is, it is Members of Congress and Members of the Senate that believe that these acquisitions should be made, these inholdings should be bought.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, that is true, but what the gentleman wants to do is to give authority to the States to buy the land, so they will go to the State legislators to get the requests.

Mr. GEORGE MILLER of California. No, we are going to come right back to the gentleman to get that long list. The gentleman will be so happy as an appropriator.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to remind my colleagues that this bill has been a very long process with many, many meetings. We reached a very balanced bill supported by 4,000, and every governing organization in this Nation.

I can agree about what has been said about this amendment, but the reality is this amendment should not be adopted.

I got interested about the gentleman from Georgia talking about how much we own. Last year he asked us to buy Cumberland Island. If that is the case,

that he does not believe in Federal ownership of land, and I have not mentioned anybody's name so I will not yield at this time, if anybody would like to have purchased the land, then maybe we ought to take and have that land sold back to the private sector. The private sector would be the best way, because the Federal government should not have any more land.

Mr. POMBO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, the 4,000 or 5,000 or 100,000 that the gentleman has on that sheet, none of those people are badgering for more Federal land acquisition. That is all the State side money, the \$2.8 money in State side.

Mr. YOUNG of Alaska. Reclaiming my time, I happen to agree with the gentleman, but remember the balance that I was talking about. Without this provision, if this amendment was adopted, if this amendment was adopted, then, very frankly, the package falls. I have to tell the gentlemen that. They understand that.

So I would suggest respectfully that we defeat the amendment.

The CHAIRMAN pro tempore (Mr. FOSSELLA). All time on the amendment has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

It is now in order to consider amendment No. 5 printed in House Report 106-612.

AMENDMENT NO. 5 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 106-612 offered by Mr. SOUDER:

Page 15, after line 8, insert the following:

(f) INTENT OF CONGRESS TO SUPPLEMENT ANNUAL APPROPRIATIONS FOR NATIONAL PARK SERVICE.—Amounts made available by this Act are intended by the Congress to supplement, and not detract from, annual appropriations for the National Park Service.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before I begin to explain my amendment, I want to commend the gentleman from Alaska (Mr.

YOUNG), our committee chairman on the Committee on Resources, and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for their work in crafting this bill.

As a cosponsor of this fine piece of legislation, I strongly support this epic bill. My amendment is very simple. It merely clarifies that funds provided under CARA are intended to supplement and in no way detract from annual appropriations for the National Park Service.

We are going to hear a lot of debate through tonight and possibly into tomorrow that is very contentious, and I as a strong conservative would like to make a brief statement in clarifying both my position regarding this bill and this amendment.

A fundamental question is, what is in fact a conservative? I believe a key, fundamental part of being a conservative is conservation. That is what we do as conservatives: We appreciate our heritage, our natural beauty in America, whether it is the wonder of parks like Yellowstone and Yosemite and Glacier and the Grand Canyon; the rivers, the wildlife, which illustrate the wonder of intelligent design of our world.

The cultural heritage of America, the Independence Halls, the Gettysburgs, help us understand who we are as a people. The national lake shores like the Indiana dunes, or the amazing combination areas like the Golden Gate recreational area, where we have cultural and natural beauty, that is the legacy that we want to pass to our children and to our children's children.

We need to have a passion for that heritage. That is part of being a conservative. We can argue how much the government should own, how much regulation there should be. But the fundamental thing that we want to pass on in generations is a sense of who we are, both in our natural and cultural beauty.

The reason that is important is there are charges made that those of us who back CARA are somehow trying to gut some of our national mission, that this is a zero sum game; if funds move to the State and local level, that in fact we would reduce the Federal funding for our National Parks.

I really respect the difficult job that our chairman of the Subcommittee on Interior of the Committee on Appropriations has every year in his difficulty meeting the \$13 billion backlog in facilities and \$26 billion in operations in the National Parks. I think it is important to make a statement in this bill that CARA is meant to be a supplement to what we are doing in the National Parks, and that it is part and parcel, part of and not just similar to the principle of the social security trust fund, the gas tax.

When we say we are going to take revenue for a particular function, in this case environmental, or whether it is hunting and fishing fees, they should be used for what they are intended to be collected for.

In the pattern over the last number of years, when we have had a deficit we have diverted these funds. This bill is not intended to take the funds from Interior, but rather to add a supplement to environmental legislation.

Let me make one other point. I come from Indiana. I understand the frustrations of a lot of the Western States with high public lands. We have 3 percent public ownership of land in Indiana, 2 percent Federal. I have none in my district.

I sought out the Committee on Resources, not because of anything directly related to my district, but because I am a strong believer in preserving our natural and historic heritage. We need a program like CARA, because our only wildlife programs are State parks, county parks. That is where our recreation funds are. We see our dollars constantly come to Washington and be diverted into the West. We need to have these things in the Midwest, as well.

At the same time, the people of northeast Indiana, while we strongly want additional dollars, our tax dollars, for things to be matched in our local areas, we also support our National Park system. Almost every family, or a high percentage of the families, in my district will visit at least one or probably multiple of our kind of classic National Parks, as well as many regional National Forests, fish and wildlife settings, and national lake shores and other things that fall under our public land system.

But this amendment is essential to say two things: One, we want to preserve our National Parks, and this is not meant to reduce any dollars in that area; secondly, that we need additional dollars to build up our State and local resources, because many of us, that is our primary way of appreciating the nature and our cultural heritage.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. Does any Member seek time in opposition?

Mr. GEORGE MILLER of California. Mr. Chairman, I do, and I yield to the gentleman from Alaska (Mr. YOUNG).

The CHAIRMAN pro tempore. The gentleman from California (Mr. GEORGE MILLER) controls the 5 minutes in opposition.

Mr. YOUNG of Alaska. Before we go any further, Mr. Chairman, we are in a one, two, one, two. The Chair does not have to take care of us, but once in a while, I believe last time the gentleman controlled the time and yielded to me. I am just suggesting we do that. That is off the record, but I hope everybody sees it.

The CHAIRMAN pro tempore. Is the gentleman from Alaska (Mr. YOUNG) claiming the time in opposition to the amendment?

Mr. YOUNG of Alaska. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

With the concurrence of the gentleman from California, we are willing to accept the amendment, because it makes great sense.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does the gentleman from Indiana (Mr. SOUDER) wish to seek further time? The gentleman has 20 seconds remaining.

Mr. SOUDER. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. REGULA).

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. REGULA) is recognized for 20 seconds.

Mr. REGULA. Mr. Chairman, I have no problem with what the gentleman is trying to do. I only wish it could be expanded for the forests, like the gentleman has Hoosier National Forest. We have a lot of responsibilities: The Bureau of Indiana Affairs, all the cultural agencies in town are afraid they are going to get shorted, even though we may give extra for the parks. I am for that, but there are other areas that also need to be funded.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 6 printed in House Report 106-612.

AMENDMENT NO. 6 OFFERED BY MR. SHADEGG

Mr. SHADEGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. SHADEGG: Page 15, after line 8, insert the following:

(f) ENSURING SOCIAL SECURITY AND MEDICARE SOLVENCY.—The Secretary of the Treasury shall not transfer funds to the Conservation and Reinvestment Act Fund under this Act during any fiscal year unless—

(1) the Director of the Congressional Budget Office has certified that the House and Senate have approved legislation that—

(A) ensures that a sufficient portion of the on-budget surplus is reserved for debt retirement to put the Government on a path to eliminate the publicly held debt by fiscal year 2013 under current economic and technical projections; and

(B) ensures that there is not an on-budget deficit for that fiscal year;

(2) the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund has certified that outlays from such trust funds are not anticipated to exceed the revenues to such trust funds during any of the next 5 fiscal years; and

(3) the Board of Trustees of the Federal Hospital Insurance Trust Fund has certified that the outlays from such trust fund are not anticipated to exceed the revenues to such trust fund during any of the next 5 fiscal years.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Arizona (Mr. SHADEGG)

and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Arizona (Mr. SHADEGG).

(Mr. SHADEGG asked and was given permission to revise and extend his remarks.)

Mr. SHADEGG. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the American people have spoken. They agree that conservation funding is important. I commend the sponsors of this bill on that point.

But there is a very important condition. They do not agree that we should raid the social security surplus. They have made that position extremely clear last year and the year before. They want 100 percent of the surplus set aside.

They also want to know that Medicare is funded and solvent. They have made that very clear. They want to know that it is there for their health care as seniors. And they want to know that the public debt will be paid off by the deadline of 2013 that this Congress and the President have agreed upon.

Mr. Chairman, we are being urged tonight to vote against every single amendment to this bill. I would urge my colleagues, do not put their brains on hold. Listen to the debate.

I urge Members to vote for this amendment. If they vote against it, they will hear from America's seniors. Let me explain why.

CARA creates a \$3 billion mandatory spending program to provide funds for land acquisition and conservation activities. If this bill is signed into law as the authors have written, this \$3 billion will be spent every single year, no matter what. Under this bill, if Congress and the President do nothing, the money will nonetheless be spent.

If the government is running a deficit and raiding the social security trust fund and stealing money from social security, then this \$3 billion will still be spent on land acquisition and conservation. If social security or Medicare are going bankrupt, this \$3 billion, which is what we are putting on auto pilot, will still be spent. It will not be set aside for Medicare. If there is not enough money to pay down the publicly-held debt by 2013, a commitment that this Congress and this president have made, nonetheless, the \$3 billion in this bill gets spent, no matter what.

Congress should support conservation, I agree with that, but not at the expense of our commitment to protect social security, not at the expense of our commitment to protect Medicare, not at the expense of America's seniors, and not at the expense of our grandchildren by burdening them with additional debt.

The American people have spoken, Mr. Chairman. In a poll conducted, 20 percent of voters said preserving social security was their top priority. Ten percent said paying down the debt was important. Only 1 percent said creating more parks and additional conservation was important to them.

Yet, under this bill, if social security is bankrupt and the debt is increasing and we are raiding the social security surplus, the law would require that we still must spend \$3 billion a year on acquiring more Federal land and more conservation funding. It would not allow that money to be spent on saving social security or paying down the debt.

The Shadegg amendment is simple and straightforward. It deals with this very problem. It protects social security. It protects Medicare. It says that the Secretary of the Treasury would have to certify that four conditions are met: First, that we are on track to eliminate the \$3 trillion debt by 2013; second, that we are saving the social security surplus; third, that Medicare is not expected to run a deficit within the next 5 years; fourth, that social security is expected not to run a deficit within the next 5 years.

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If the answer to each of these four questions, and they are laid out right here, is yes, then the money gets spent under the bill. If the answer is no, that is, if we are raiding Social Security or if we are raiding Medicare or if we are not paying down the debt, then the money would not be spent before the Congress acts.

Mr. Chairman, I urge my colleagues to support this amendment, and I point out that it has the support of the United Seniors Association, the Sixty Plus Association, and it addresses the concerns of the Concord Coalition.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I urge my colleagues to strongly support this amendment. I think it is an excellent amendment. It points out the economic impact this could have. And I think it clearly also points out that what we are creating is an entitlement, as the gentleman from Arizona points out.

This money is going to be spent if we are running a deficit and the ultimate result would be to dip into the Social Security trust fund, because we have to spend it every year. We are creating an entitlement. And I commend the gentleman for what he is proposing and I urge our colleagues to vote for it.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, I would point out that this still allows these monies to be spent. It requires a straightforward certification that these conditions are met before those monies can be spent. And it is a straightforward attempt to make sure that we protect Social Security, we do not raid it; we protect Medicare, we do not raid it; and, we stay on the commitment of this Congress to pay down the debt, the publicly held debt, by 2013.

It is a straightforward and honest amendment that says conservation funding is still important and it ought to occur, but not at the expense of Social Security, not at the expense of

Medicare, not at the expense of paying down our debt.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise to claim the time in opposition, and I ask unanimous consent that the time be split with the gentleman from Alaska (Mr. YOUNG).

The CHAIRMAN *pro tempore* (Mr. FOSSELLA). Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Alaska (Mr. YOUNG) will each be recognized for 5 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

We are going to have a whole series of amendments this evening that are offered by opponents of the legislation to essentially try to gut the legislation. This amendment, in fact, is flawed and it is trying to obviously use, as so many have from time to time on this floor, the emotionalism of Social Security.

Mr. Chairman, as we know already, there is the pledge by the President, there is a pledge by the Democrats, the Republicans, the leadership on both sides of the aisle, the leadership in both Houses that there is a lock-box proposal that Social Security will not be invaded. This would suggest that CBO is supposed to certify that to eliminate the debt by 2013.

CBO tells us they cannot certify any such thing. They can tell us, as they do now, their best estimates of where we are going and where we are at a particular time in terms of deficit reduction, as we have experienced over the last several years in the size of the surplus.

This is simply an effort by opponents to kill this legislation. We have a number of programs where we spend money automatically, whether it is Robinson-Pittman, whether it is the crime legislation and all the rest of that, and nobody for a moment believes that the Congress is going to do that at the expense of Social Security.

The reason, one of the reasons this Congress has done so little legislatively is that we have a clear commitment to using the deficit to protect Social Security, to protect Medicare, and to pay down the debt.

Due to our good fortunes, we also have the ability to fund a program such as this and I would urge the Members to vote against this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I would just like my colleagues to

look at this little diagram. This is what CARA would take out of the total budget. It is 0.002 percent. That is all it takes out of it. And this amendment would be the first time that a new criteria is set on every bill. Only CARA does it apply to.

Now, the thing that bothers me is that CARA is not about new spending. There is approximately, with the help of the gentleman from Ohio (Mr. REGULA) \$1 billion a year that has already been spent. But under this amendment, none of that money would be spent. So we would cut out. No new parks, no wildlife refuge additions, no grants to States, no assistance to landowners or endangered species. None of that would occur.

So what the amendment does is eliminate, in fact, until all that criteria is met, no more spending period for the Department of Interior. And I am sure the gentleman from Ohio (Mr. REGULA) would love that.

Mr. SHADEGG. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Arizona.

Mr. SHADEGG. Mr. Chairman, I simply want to point out that it does not stop that spending. It only stops that spending from automatically happening. The spending could still occur with the approval of Congress.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, yes, but the spending could not occur until we reach that goal. Although I think some of those are meritorious.

Mr. SHADEGG. No, no, no.

Mr. YOUNG of Alaska. Mr. Chairman, that is my interpretation. I believe that is the way it was presented. And, again, I would like to suggest that this is the only bill that this amendment would apply to. And, of course, this is the only bill before us today.

But if we were going to do as the gentleman wishes to do, then we should apply that to everything. I happen to think, by the way, and I happen to think very frankly one thing we have to keep in mind, if we were to take a poll of all of our senior citizens, I think that we will find that they support this overwhelmingly. They are the ones that use the parks. They are the ones that go to the refuges. They are the ones that are worried about the redwoods, and they are the ones, frankly, worried about the endangered species.

So keep in mind, although the gentleman says that we are going to spend the money away from Social Security or divert it away, remember the intention of the original act, the Land and Water Conservation Act. The Congress owes the American people \$13 billion which we have not used correctly, that the law said we should use. That is my concern.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Alaska (Mr.

YOUNG) for yielding to me. I only want to point out that there are other revenue sharing mandatory programs in this government. For example, interior States get 50 percent of the sharing of Federal mineral resources on Federal lands within the State. That is paid out every year regardless of our budget problems. Paid out every year.

We just passed mandatory spending for airports. We passed mandatory spending for highways in this country. Those are paid out regardless of our budgetary problems under those mandatory programs. This is nothing new.

None of those programs are conditioned upon anybody certifying the future. Who could predict that future? The bottom line is that this is a red herring to kill the bill and we knew it.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I simply want to clarify the intent of the amendment and the language of the amendment, which says the funds simply would not be automatically spent under those conditions. If the Congress wanted to go ahead and make the appropriations to spend them, then that could occur. It does not prevent them from ever being spent; it simply says they are not spent as an entitlement.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding. I would say the whole point is to stop the funding. That is the situation we have today. That is the situation by which Congress took \$13 billion out of what was supposed to be spent and went off and spent it on something else.

And the gentleman from Alaska is correct. No money would be spent unless we could certify that we going to eliminate the national debt by 2013. The very people the gentleman tells us to certify it say they cannot certify any such thing. Remember, 6 years ago, we thought we were going to have \$300 billion deficits as far as the eye could see, is what they said. And now people want to tell us that we are going to have surpluses as far as the eye can see now of \$300 billion.

So the CBO is trying to say that we cannot certify that. And if they cannot certify that, none of this money can be spent for any of these purposes. And that is the gentleman's intent because the gentleman opposes the bill.

Mr. YOUNG of Alaska. Mr. Chairman, I appreciate the gentleman's comment. I just suggest respectfully that amendment should be rejected. It is a small, small part of this total budget, and I do go back to my senior citizens and I do think they frankly support this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. SHADEGG. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Chairman, I thank the gentleman from Arizona (Mr. SHADEGG) for yielding me this time, and I must say this debate is absolutely phenomenal. All of the arguments that are being made about the automatic spending are precisely why I oppose the bill. Not because I do not support the conservation, all of the wildlife, all of the good things that are in it.

But remember, 2 years ago we came before this body and we took highway spending off budget. Last year we took aviation off budget. Now we are taking conservation off budget. We are creating new entitlement programs, and I do not know how many times I have stood on this floor and listened to people say we have just got to stop and restrain entitlement spending.

But, Mr. Chairman, because it is a good purpose, and who can argue against all of the good things that are in this bill? But no matter how we color it, spending is spending. And no matter how many times we talk about the good parts of legislation, ultimately we are going to have to make some decisions. And this amendment today does not say we cannot spend it. It just says that we have got to look at what actually is happening in the year in which we are going to be appropriating for various conservation programs and say whether the money is there or not. If it is not there without touching Social Security, we cannot do it.

How many times have we unanimously agreed on both sides of the aisle we are not going to touch Social Security? But now tonight we are going to put automatically in place, on auto pilot, something that will spend \$3 billion a year no matter what. We are going to wake up here maybe next year, maybe the year after, maybe the year after that, maybe in 4 or 5 years, but sooner or later the chickens are going to come home to roost.

And we can say all we want to say about the merits of it. I agree with all of my friends on both sides of the aisle that are absolutely, totally in favor of this legislation. But it really bothers me when we continue, year after year, to put new programs on auto pilot and then we are going to come back to the American people and say we are for balancing the budget, we are for not doing anything to Social Security. In the meantime, we have not done anything to protect Social Security.

Mr. Chairman, I urge my colleagues to support the gentleman's amendment. He is right on target.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to make one clarification. The highway funds were tax dollars collected for gas used on the highways. The airport funds were dollars collected for those who use the airports and the airplanes and the fuel that was used. It was not supposed to go to the general fund anyway.

This is exactly the same, because we have \$13 billion that is owed to the public because we collected it. It was supposed to be spent in the Land and Water Conservation Fund, and we spent it. We spent it on God knows what. All we are doing in this bill is paying back the public and land and water conservation, endangered species, historical preservation, land easements, and all the rest of things in this good bill, just doing what is correct.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time. There is a lot of discussion here today about this is going to be another entitlement, and we need to correctly budget the tax dollars that come in to this great city.

But that is exactly what we are doing. The gentleman from Alaska just said that the tax dollars that are designated for highways go to highways. They do not go to all the other programs that are out there. The tax dollars designated for airports go to airports. The revenue that we are collecting for conservation, for land easements, for fisheries, for agriculture, for all those things, the dollars collected for that specific purpose from those programs now are not going to be scattered throughout the Federal budget. They are going to be designated with a succinct budget for these conservation programs.

In our home, we designate a certain amount of money from our budget for the mortgage or rent, for water or electricity, for clothing, for recreation. That is exactly what we are doing here.

Mr. Chairman, I ask my colleagues to oppose the amendment.

The CHAIRMAN pro tempore. The gentleman from Arizona (Mr. SHADEGG) has 3 minutes remaining, and the gentleman from California (Mr. GEORGE MILLER) has 2 minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I reserve the balance of my time.

Mr. SHADEGG. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

(Mr. OBEY asked and was given permission to revise and extend his remarks.)

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Mr. OBEY. Madam Chairman, I rise in support of the Shadegg amendment.

Mr. SHADEGG. Madam Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I want to go back to the chart that was used earlier. This, Madam Chairman, is the \$2.8 billion that each year goes to CARA. Do my colleagues know what, in relation to the large \$1.8 trillion budget, one

can argue that is a very, very thin slice of the pizza.

However, let me speak to you as an appropriator. We have lots of competing needs: education need, children with disabilities, defense needs, Social Security, grandmothers raising grandchildren, foster kid care, Medicare, day care, Kosovo. Everything that is in the Federal Government has to come out of this pie.

Now, this \$2.8 billion in relation to \$1.8 trillion is not that much. But let me tell my colleagues, \$2.8 billion a year is not a small amount of money. That is a huge amount of money. I can tell my colleagues one thing. If they got home to their seniors and say, "Would you want to spend that money on Social Security or on new lands when we already have one-third of the land in America owned by the Federal Government", they are probably going to say, "Do you know what? I am more concerned about long-term health care." Because seniors cannot afford \$50,000 a year for long-term health care. They could come up with other ways to spend that \$2.8 billion.

So the question is, under the Shadegg amendment, do we put this land acquisition money in front of Social Security? Do we put land acquisition in front of paying down the debt for our children? Do we put it in front of Medicare. I do not think we do. I do not think our seniors want us to do that.

If my colleagues think they can vote on this one because it is going to gut this bill, they are going to vote against it, let me tell them, I would be very careful because they will be explaining this vote for a long, long time.

We have all worked very hard to support debt reduction, protecting Social Security and Medicare. This gives us a chance to make sure that we all come together and say, does one know what? These are very important things, and I am going to support the Shadegg amendment for that.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I simply rise again in opposition to this amendment, recognizing that the purpose of this amendment is to make sure that no funds can ever be spent under this program. Because what this amendment says, it needs to be certified. The gentleman from Arizona (Mr. SHADEGG) knows very well the CBO has told us they simply cannot certify that.

So in absence of that certification, it has nothing to do with Social Security, it has nothing to do with Medicare, it has to do with the fact that they have to certify something that is 13 years in advance. They cannot certify that. That is the reason why this amendment is designed to kill this bill. This would kill the funding.

I guess maybe this is a fight among the appropriators and everybody else where they apparently can spend money and take everything else into consideration, but we cannot do that

with this legislation because it does not run every nickel through their committee.

I think the point is this, this is simply an amendment to strike this legislation, and it is to try to do it using the emotionalism of Social Security and all of the rest of that. The fact of the matter is we know that people value these programs. They think that we have been derelict in our duty in responding to the needs for these conservation measures.

We ought to oppose this amendment for what it is. It is an effort to kill this legislation.

Madam Chairman, I yield back the balance of my time.

Mr. SHADEGG. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, let me simply point out, just to use their words, this is an attempt to strike the legislation, to gut it, it is a red herring, it is to make sure that no funding can ever be spent. The whole point, so my opponents say, is to stop the funding. They used the word "kill". They say it is designed to kill. They say it would kill the funding. Indeed they are prescient because they can read my mind and understand my intent.

Well, let me make clear. This year the Secretary of Treasury could certify that, in fact, we are paying down the debt. We are on the track to eliminate the publicly held debt. This year, the Secretary of Treasury could certify and would certify we are saving 100 percent of Social Security. This year, the Secretary of Treasury could certify and would certify that we are not expected to run a deficit in Medicare within the next 5 years, and that Social Security is not expected to run a deficit within the next 5 years.

All of the conditions set in this legislation are met this year. Indeed, it is very clear that this year, 2001, even if the Shadegg amendment is adopted, the bill's money will be spent exactly as urged. It is no attempt to gut the bill. It is about protecting Social Security. It is about protecting Medicare. It is about paying down the debt. This year, the money could be spent. It is not an attempt to gut the bill. I urge my colleagues to support it.

The CHAIRMAN pro tempore (Mrs. EMERSON). All time for debate has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. SHADEGG. Madam chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) will be postponed.

It is now in order to consider amendment No. 7 printed in House Report 106-612.

AMENDMENT NO. 7 OFFERED BY MRS. CHENOWETH-HAGE

Mrs. CHENOWETH-HAGE. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. CHENOWETH-HAGE:

Page 15, after line 17, insert the following new section and make the necessary conforming changes in the table of contents:

SEC. 6A. NATIONAL MONUMENTS.

No funds made available by this Act (including the amendments made by this Act) may be used for the establishment or management of a national monument designated after 1995 under the Act of June 8, 1906, commonly known as the "Antiquities Act" (16 U.S.C. 431 and following).

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, this amendment very simply prevents funds from CARA being utilized for the management or creation of national monuments designated after 1995 under the Antiquities Act.

Madam Chairman, for the past 5 years, the current administration has grossly misused the 1906 Antiquities Act to lock up literally millions of acres throughout the United States from production. This first occurred in 1996 when President Clinton, on a campaign stop in Arizona, much to the surprise of every State official in Utah, declared millions of acres in Utah as the Grand Escalante Monument. He pulled this maneuver with virtually no environmental or Congressional process, but simply as a political favor to the Sierra Club.

Now, as the Clinton-Gore administration winds down, Secretary Babbitt has traversed the western United States, declaring "monuments" of massive proportion in Arizona and California and scoping others in my own State of Idaho and also in New Mexico, keeping in mind, Madam Chairman, these designations, which have the impact of shutting down activity and economies in the affected areas, are done without any Congressional authorization or even oversight, without any real local input, and without any environmental assessment as required by the National Environmental Policy Act.

In short, Madam Chairman, the President has tortured and twisted a well-intended law to exercise his executive will over the people and livelihoods of the rural West.

While I have worked vigorously with my colleagues to, at the very least, inject due process for these designations, the administration has fought us all the way, not even agreeing to require a basic NEPA analysis.

The one saving hope that we have, Madam Chairman, is that because these actions have occurred through executive order and are thus temporary, we can work with the next administration to once again restore the intended purpose of the Antiquities Act, which is to designate actual monuments which are of truly historic and natural significance.

I believe this is a responsible amendment that even cosponsors of this bill should support. I do urge its passage.

Madam Speaker, I reserve the balance of my time.

The CHAIRMAN pro tempore. For what purpose does the gentleman from Alaska (Mr. YOUNG) rise?

Mr. YOUNG of Alaska. Madam Chairman, I rise in opposition to the amendment, and I ask unanimous consent to yield 5 minutes of my 10 minutes to the gentleman from California (Mr. GEORGE MILLER) for the purpose of control.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. Madam Chairman, I yield myself such time as I may consume. Madam Chairman, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) makes a lot of arguments about the designation of monuments, but this bill has nothing to do with monuments. In fact, very frankly, I do not think if this amendment was adopted, it would stop the President from designating monuments. Only on Federal lands can monuments be created, and it has to be by an edict of the President.

As my colleagues know, the gentleman from Utah (Mr. HANSEN) introduced the bill, and we voted for that bill, and it moved out of the House and sent it over to the Senate to, in fact, keep this type of action from occurring. I supported that and voted for it. Because I think what has been done in Escalante, what was done in Alaska by Stewart Udall, those things were done incorrectly. But that was the prerogative of the President. Until we change that law, that is the only way we can address that problem.

But under this bill, it does not pertain to the monument problem at all. There is no money spent out of this bill for monuments. There is no action out of this bill for monuments. In fact, this bill has nothing to do with monuments.

Now, although I sympathize with the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) and the problem of monuments, in fact, I would support it, have supported the legislation, this is not the place to try to have an amendment adopted to solve that problem. In fact, I oppose the amendment. I strongly object to the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the gentleman from California for yielding me this time.

Madam Chairman, I would like to thank the gentleman from California (Mr. GEORGE MILLER), ranking member, and the gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Resources, for what will prove to be a unique opportunity in conservation and reinvestment when it comes to our green spaces, when it comes to the idea of conservation of our land.

Let me thank constituents of mine from the Contemporary Learning Center, young people who came up and advocated for this legislation because it has great impact on inner city parks, more green space, although it has far-reaching impact.

Let me acknowledge with respect to the amendment of the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) to indicate that I would hope that we would be cautious in the amendments that have no bearing on the particular underlying legislation.

For example, there are no funds in this bill for the establishment of national monuments. Obviously, monuments can be established by the Antiquities Act by the Presidential proclamation.

I happen to believe, however, that we should consider on a case-by-case situation the idea of monuments. The gentleman from Ohio (Mr. REGULA) knows I have discussed with him over a number of years a tribute to Sojourner Truth.

But I think we should stay focused on H.R. 701 and what it does do, which is provide \$2.8 billion for annual funding for important conservation and recreation programs. For my community, this is a great influx or insertion of dollars and energy around this idea.

As well, we who are collectively in urban areas and rural areas, can find opportunities in this legislation that will respond to the desires of our communities to be involved in more green space.

I would hope that we would spend time on recognizing that this bill does need to move forward and that we not shackle it with a number of amendments that may inhibit its movement and also opportunity to create greater spaces for our constituents.

Madam Chairman, I ask the support of this entire legislation, and I would ask for the opposition or the opposing of the present amendment.

Mrs. CHENOWETH-HAGE. Madam Chairman, may I inquire as to the time remaining.

The CHAIRMAN pro tempore. The gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) has 7 minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 4 minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 3 minutes remaining.

Mrs. CHENOWETH-HAGE. Madam Chairman, I yield 3 minutes to the gentleman from Utah (Mr. HANSEN).

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Madam Chairman, I appreciate the gentlewoman from Idaho for yielding me this time.

I would like to point out that Theodore Roosevelt was the man who sponsored this 1906 Antiquities law. And he was the man that got it through. Why did he do it? He did it because there was nothing to preserve things. There was nothing to preserve Indian ruins, historic things, scientific things, or nothing. So out of that, fortunately, we have got the Grand Canyon, we have got Zion and Bryce, we have got other great parks.

Since that time in 1915, we got the organic act or the park law. We have got all kinds of bills that now protect the public ground. In fact, even a judge has said this law should probably be repealed because there is no need for it; and besides that, the Constitution is abundantly clear that Congress is the organization that handles the public lands of America, not the Executive Branch.

The gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) alluded to the fact that, on September 16, 1996, safely on the South River of the Grand Canyon, the President came there and put 1.7 million acres in the Grand Staircase Escalante.

□ 2030

The bill that I have been referring to says what? That the President in his proclamation shall state the historic or archeological reason for doing something, and in this particular instance, the President failed to do that. I urge my colleagues to read that proclamation; it did not say anything.

Now, what they do not understand is the next sentence in the law says this: And he shall use the smallest acreage available to protect that site. First, he does not tell us what it is. Then he uses 1.7 million acres, and then he goes around the next year in Arizona, right on the Arizona Strip, we get another million acres. Then he goes down to Phoenix, then we get more acres. Then he goes to the coast, and we get more. Then he goes to Sequoia and we get more. Then there are people stand on the floor, Democrats and Republicans, saying Sequoia is well taken care of. Now, do you blame us for being paranoid?

We find ourselves in a situation where my AA called up the day before they did the Grand Staircase Escalante, talked to the top person in the White House, and said we are hearing this rumor, is the President really going to do this? We are hearing the same rumor. Of course not, we do not know anything about it. And the next day he is standing on the south rim of the Grand Canyon and doing this. Do you think anyone else would be paranoid if you get that kind of information?

Right now, my good friends, I am hearing about the Missouri up in Mon-

tana. I am hearing about the Four Corners. I am hearing about the Salton Sea. Sure, we are paranoid. I think the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) has come up with a great idea. There should be no funding for these things, because Congress is the one to do it.

Madam Chairman, I would appreciate the Members of the House giving some real thought to this. This is true, it is an antiquated law. There is no reason to have it, and I can see no reason in the world to fund this.

Mrs. CHENOWETH-HAGE. Madam Chairman, I yield 4 minutes to the gentleman from California (Mr. POMBO).

Mr. POMBO. Madam Chairman, I thank the gentlewoman for yielding me the time.

Madam Chairman, this amendment is very simple. It says that none of the money within this act can be used for the establishment of monuments under the Antiquities Act. Now, I agree with the chairman of the committee that this legislation does not deal directly with that, but the reason that this is so important, I think, has been proven time and time again over the past 8 years, when the administration has found it inconvenient or not enough money has gone into the areas that they wanted, they turned around and they took money from other places, as the gentleman from Alaska (Mr. YOUNG) is very aware, when it came to Pittman-Robertson money, if they did not have money for the projects they wanted, they just took it out of Pittman-Robertson.

What I am afraid of is that under this act, when \$3 billion a year is thrown out and we let them spend it on whatever they want, it may become convenient for them to establish a new monument and then not have the money for it and just take it from here, because there is really not enough sideboards, oversight on this particular spending.

What the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is trying to do is she is trying to rein in the administration. She is trying to rein in the executive branch. She is trying to pull them back and say, no, it cannot be done unless Congress specifically authorizes it.

I believe this is a very important amendment, and there may be those that sluff it off and say that this does not deal with the Antiquities Act, that this underlying legislation does not deal with monuments, but there is not enough oversight within the legislation to stop them from spending the money on things that they want.

I support the gentlewoman's amendment wholeheartedly. I think it is an important amendment, and I think that it should be added on to the bill.

Mr. GEORGE MILLER of California. Madam Chairman, I believe I have the right to close. Are there any remaining speakers?

The CHAIRMAN pro tempore (Mrs. EMERSON). The gentleman from Alaska (Mr. YOUNG) has the right to close.

Mr. YOUNG of Alaska. Madam Chairman, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I want the right to close.

Mr. YOUNG of Alaska. Madam Chairman, I will close if I have to.

Mr. GEORGE MILLER of California. Is the gentleman yielding me the balance of the time?

Mr. YOUNG of Alaska. I yield the gentleman from California (Mr. GEORGE MILLER) the balance of my time for purposes of control.

The CHAIRMAN pro tempore. The gentleman from California (Mr. GEORGE MILLER) has 7 minutes remaining. The gentleman from Idaho (Mrs. CHENOWETH-HAGE) has 2 minutes remaining.

Mr. GEORGE MILLER of California. Madam Chairman, I reserve the balance of my time to close.

Mrs. CHENOWETH-HAGE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I thank the House for allowing this amendment to come up. It is a very, very important amendment, because even as I speak, Secretary Babbitt is in my State, looking at setting aside three different sites as a national monument under the 1906 Antiquities Act. This is a clear distortion of the Antiquities Act. The Antiquities Act very clearly says that the area immediately around the antiquity shall be protected, not one 1.8 million acres like was set aside in Utah and the hundreds of thousands that we expect in Idaho and various other States.

I think this is an amendment that will rein in the kind of ambition that we have seen in this administration. I urge its support.

Madam Chairman, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to this legislation. I think this amendment is a bit off the mark here; the concern here is with the President using the authority that he has under the Antiquities Act to establish monuments. There is nothing in this legislation that gives us the opportunity to do that. We do not have the authority to do that, only the President has the authority to do that.

I think the problem occurs, and this may even be a problem for people who have these monuments in their districts, that is, conceivably under this act, under title VI, some monies might be used for restoration and maintenance; now you have created two classes of antiquities. We can use it for all of the existing antiquities, but for those since 1995, we cannot.

In Utah, where they have this massive track of Federal lands out there, the monies cannot be used to take care of it, to restore it or to maintain it, and that would also be true I guess in California, where I know local citizens

are concerned about exactly that effort, now that it is in antiquities how will it be managed, and conceivably some of these funds could be used for that purpose.

I think the gentleman is sort of throwing out the baby with the bathwater here and using the idea that somehow Congress can use the Antiquities Act, when Congress has no ability, no authority to use the Antiquities Act.

I do not know if the gentleman wants to withdraw the amendment or wants to go ahead with it, but it clearly misses the mark. I think it creates a worse problem for people who already have these, because clearly we cannot establish them. In Utah and in Colorado and Arizona, where they have them, I think they would like to know that they could have some ability to take them.

The gentleman from Utah (Mr. HANSEN) has indicated already the substantial increase in tourists and others who are going to this area, which is a burden on the State in terms of maintenance; that is why I do not know if this is what the gentleman really wants to do. The gentleman ought to take the first part out, because there is no authority in law for us to do that.

Mrs. CHENOWETH-HAGE. Madam Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Idaho.

Mrs. CHENOWETH-HAGE. Madam Chairman, I must say to the gentleman that, clearly, the Committee on Rules felt that the amendment was in order.

Mr. GEORGE MILLER of California. Reclaiming my time, Madam chairman, the amendment is in order. It is fine. But the President has the authority under the Antiquities Act to do this. There is nothing in this bill that establishes any authority for us under the Antiquities Act because it does not pertain to us.

The gentleman is welcome to the amendment.

Mrs. CHENOWETH-HAGE. Well, if the gentleman will continue to yield, this administration usually uses money that has not been either authorized or appropriated, and this just puts a fence around money being used for this purpose. So it is in order.

Mr. GEORGE MILLER of California. Once again reclaiming my limited time, I appreciate that. All I am saying is for Representatives who have had these established in their areas, I am not sure this is what they want to do, to cut off the money for those areas, because that is the law now.

Nobody here is offering to repeal the Utah one or the California one or the Arizona one. So now they have to be maintained because there is increased traffic and tourism and all the rest going to these areas. So the gentleman now wants to cut off the ability, by chance, to use this money for the purposes of maintenance or restoration.

Madam Chairman, I urge opposition to the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GEORGE MILLER of California. Madam Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 106-612.

AMENDMENT NO. 8 OFFERED BY MR. POMBO

Mr. POMBO. Madam Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. POMBO:
Page 18, line 1, after "unless", insert "specifically";

Page 18, after line 2, insert the following:
(c) PROTECTION OF RIGHTS IN NON-FEDERAL PROPERTY FROM FEDERAL ACQUISITION OF NEARBY LANDS.—The right of an owner of non-Federal real property to use and enjoy that property shall not be diminished based on the property being—

(1) within the boundaries of a Federal unit as a consequence of the acquisition of lands for that unit with amounts made available by this Act; or

(2) adjacent to Federal lands acquired with amounts made available by this Act.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from California (Mr. POMBO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

Mr. POMBO. Madam Chairman, I yield myself such time as I may consume.

This is an extremely important amendment. I think it cuts to the heart of a lot of what is wrong and what is broken with our current land management system at the Federal level in this country.

This amendment speaks to when the Federal Government goes into an area by action of this bill, by taking money that is appropriated under this bill and authorized under this bill, and buys one piece of land. And I held this up a little earlier. It is a map of Federal land ownership in this country. And we can see throughout the West most of it is owned by the Federal Government right now. But let us say that they went just outside of this, take Texas as an example, or Louisiana, or any of the States that have very little Federal land, and let us say that they drew on the map a little circle and said we want this to someday be a wildlife refuge, and they buy one little piece of land. Well, what this amendment says is that if they do not own it, they do not control it.

Under current law, under current practice, under current interpretation

of the morass of laws that are currently on the books, the Federal Government, just because it draws something on a map, they have not paid for it, they have not exchanged money, they have not paid the rightful property owner anything, all they have done is they have gone in and drawn something on a map, what this amendment says is that they do not control it, then. It is very simple.

Now, I know most Members of the House, most people in this country believe that, well, the Federal Government cannot control it. The Federal Government cannot put special restrictions on one property owner that it cannot put on another just because some bureaucrat sitting in an office in Washington, D.C. drew a line on a map. But the truth of the matter is they can, and they literally have hundreds of rules and regulations on the books that come down on the head of the poor unfortunate property owner who happens to be inside the line instead of outside the line.

What this amendment quite simply says, if they do not pay for it, they cannot control it. The Constitution states, "nor shall private property be taken for public use without just compensation." It says that if it is for the public good, a wildlife refuge, a national park, a wilderness area, or for something else that people support, they have to pay for it before they can take it. And what I am trying to do is to protect those property owners, the unfortunate property owners, who happen to fall inside the line instead of outside the line.

Madam Chairman, I reserve the balance of my time.

Mr. TAUZIN. Madam Chairman, I rise to claim the time in opposition, and I ask unanimous consent that my friend, the gentleman from California (Mr. GEORGE MILLER), be allowed to control 5 minutes.

The CHAIRMAN pro tempore. Without objection, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. GEORGE MILLER) each will control 5 minutes in opposition to the amendment.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the gentleman from California (Mr. POMBO) seeks to change a line that is in the CARA bill that reads, as follows: Let me read this sentence to the Members: The CARA bill provides currently that Federal agencies using funds appropriated by this act may not apply any regulation on lands until the lands or water or an interest therein is acquired.

□ 2045

CARA already does that. It says, in effect, that before the Government actually acquires a land, it cannot im-

pose any regulations or limitations on use on that land even though it proposes to buy that land.

CARA also says, "unless authorized to do so by another act of Congress." That gives the gentleman from California (Mr. POMBO) some trouble and other Members some trouble. But let me tell my colleagues what that means.

What that means is that Congress has, in effect, passed laws that regulate property, not all of which I agree with, not all of which many of us agree with. Congress has passed laws to protect, for example, mining in public parks and recreational areas and wilderness areas to protect against certain activities in those parks.

It certainly has passed a lot of laws and regulations aimed at protecting species that are endangered and threatened and the wetlands and a whole host of Federal environmental protective legislation. That does affect potentially the use of their property.

CARA also includes the language, I should point out to my friend the gentleman from California (Mr. POMBO), of the fifth amendment. It restates it. It says that whenever any property under CARA, or otherwise, is affected by a taking under the fifth amendment, due compensation is going to get paid.

But CARA does precisely what the gentleman from California (Mr. POMBO) wants. It says that until the Government actually acquires the property that is proposed to be acquired, no new regulatory authority is granted under this act that does not already exist in some other act.

Now, I would like to change some of those other acts. I know the gentleman from California (Mr. POMBO) would, too. But that is not what we are doing today. We are discussing CARA. And we are talking about a problem that the gentleman from California (Mr. POMBO) has. And I agree with him, it does happen. But agencies do, on occasion, try to impose regulations on proposed acquisitions. And those things do happen. It is unfortunate. The gentleman from California (Mr. GEORGE MILLER) and I went over some examples of that.

CARA tries to cure that and says so very clearly, no regulations under CARA can be imposed upon proposed acquisitions until the Government takes title. It is as clear as a bell.

CARA does correctly recognize, however, that there are other acts of Congress that may impose certain restrictions on the private use of private property. If they impose a taking, CARA provides compensation rights under the fifth amendment. And that is precisely what CARA ought to do.

The amendment of the gentleman from California (Mr. POMBO) would seek to interfere with those other statutes through this bill. I do not think this is the place to do it. And the amendment of the gentleman from California (Mr. POMBO) therefore would cause some real problems not only with

this bill but many other statutes, such as those that protect against mining in Yellowstone Park, for example.

I would suggest that this amendment needs to be defeated.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself 2 minutes.

Madam Chairman, the gentleman from Louisiana (Mr. TAUZIN) has just accurately explained the situation within CARA. We went around and around on this in the negotiations for many, many days and many, many hours; and we provided exactly the protection that the gentleman from California (Mr. POMBO) says that he wants.

What we could not assure, as the gentleman from Louisiana (Mr. TAUZIN) has pointed out, we could not assure him that other laws of the United States would not come into play, such as clean air and clean water.

If they have a national park and somebody on the boundary of that national park wants to put in a gas station and they want to sell gas with MTBE, and we now know that leaks into the groundwater, under the Clean Water Act, under the Clean Air Act, they might be able, like any other landowner, to say, I do not want them to do this, they are infringing on my property rights.

And one thing we said was that we could not diminish the right of the Federal Government that other property owners have. If they have a piece of property and a person comes along and they want to put in a smelting plant, they might want to know what the air quality coming out the smokestack is. So would the National Park Service.

If they want to put in a mine, if there is going to be toxic waste in that mine that goes through and into a river that runs through one of our national parks, the National Park Service may want to ask some questions about that. That is under the other laws. But in and of this act, they do not get to impose the burdens on property owners. That is what was hammered out, and the gentleman from Louisiana (Mr. TAUZIN) has explained it perfectly right. That is the agreement that was handed out.

But we are not going to use CARA to waive the Clean Air Act, to waive the Clean Water Act, to waive the Superfund legislation. That is not what CARA is going to be used for.

CARA, with this amendment, would be used as a battering ram by landowners against other basic environmental laws in this Nation. And that is not what is to be done. If somebody wants to do that some day when the Clean Air Act is on the floor or the Clean Water Act, they can hammer that out. But they cannot use the Pombo language to strike down the basic environmental laws of this Nation.

We have protected the landowner from CARA. We have protected those

people. The one incident that the gentleman from California (Mr. POMBO) brought to our attention, in fact inside that refuge line vineyards have been planted, wineries have been started, subdivisions have been started, homes have been remodeled. All of these activities have been carried on. Because you do not have the right to do that without just compensation, as the gentleman from California (Mr. POMBO) and the gentleman from Louisiana (Mr. TAUZIN) pointed out.

Madam Chairman, I reserve the balance of my time.

Mr. POMBO. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I would like to point out that my colleague from California is absolutely wrong, did not read the amendment; and what he is talking about I would not propose and has absolutely nothing to do with this particular amendment.

What this amendment says is that just because as an action taken under this act that they get put inside one of these Federal boundaries, they would not be treated differently than someone outside of the boundary.

The Clean Air Act still applies, the Clean Water Act still applies, the Endangered Species Act still applies just like it does today. This amendment does not change any of that.

Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Chairman, I rise in strong support of this amendment, which will provide common sense protections and peace of mind to property owners affected by this bill.

H.R. 701 enhances the Government's appetite for an ability to own and control even more of our country's land even while reducing the amount of private property individual Americans can own.

Madam Chairman, where does it stop? The Federal Government already owns nearly one-third of the total land base in the United States. In the West, Government ownership is staggering. They control 54 percent of the land in 12 western States. In some counties in California, it is 90 percent.

If they want more land, great, buy it in the East. The Government only owns 6 percent of the land east of the Mississippi.

We are being reassured that this bill will not coerce the sale of private land because it has a willing seller requirement. The idea of a willing seller is a myth. The reality is that, with enough government pressure, a private landowner will become willing to sell as the rights to use his land are squeezed by burdensome Federal, State, and local government ordinances, policies, and laws.

The Federal Government can and does regulate property owners into submission, making them willing sellers only after the value of their land has dramatically fallen and only after they have lost their ability to earn a living.

Madam Chairman, H.R. 701 has grave consequences for private property ownership. I urge my colleagues to support the protections proposed in the Pombo amendment.

Mr. TAUZIN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, let me point out that in the negotiations on this bill, when the gentleman from California (Mr. POMBO) raises the question of whether or not there were in fact regulatory authorities that affected lands that were not yet in the park ownership yet but, nevertheless, around it; and we were told at first that there were no such things. And then, sure enough, there are all kinds of laws in effect right now that do in fact provide some regulatory authority under existing law for those lands.

They include, for example, under the NMPS Organic Act, NMPS can regulate inholdings where there is a session of jurisdiction from the State to protect park resources, provide wildlife protection, preclude discharge of firearms, forbid the starting of fires, to prohibit gambling, to name just a few.

In short, there are other laws that protect parks and resources from all kinds of activities, the likes of which I do not think my colleagues would probably want around a place like Yellowstone. Those laws are in effect today.

The problem with the Pombo amendment is that it would threaten the implementation of those laws even though the bill as written clearly says that no new regulations stem from CARA. In other words, nothing in the act crafted through these delicate compromises increases nor diminishes any authority under existing law to regulate private property that is not already enjoyed by the Government in fee ownership. Nothing in CARA increases or diminishes regulations on private property.

But just to make it abundantly clear again, we have included in CARA the protection of the fifth amendment, that if any other regulation that exists in current law operates to so limit the use and enjoyment of private property outside of a park, that that landowner is entitled to the fifth amendment protections of just compensation.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I reserve the balance of my time.

Mr. POMBO. Madam Chairman, may I inquire how much time remains.

The CHAIRMAN pro tempore (Mrs. EMERSON). The gentleman from California (Mr. POMBO) has 4½ minutes remaining. The gentleman from Louisiana (Mr. TAUZIN) has 15 seconds remaining. The gentleman from California (Mr. GEORGE MILLER) has 3 minutes remaining.

Mr. POMBO. Madam Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Chairman, I thank the gentleman for yielding me the time.

Madam Chairman, I want my colleagues to pay real close attention to what the Pombo amendment is saying. It simply says, if they are a landowner and they are next door to Federal land, then their property rights should not be diminished.

For crying out loud, this is a no-brainer. Is this not the United States of America? I know Cuba has been in the news a lot lately. Are we starting to emulate what goes on in other countries or imitate it?

We are saying, if they own private land next to private land, their rights should not be diminished and this is being rejected by people who have sworn an oath of loyalty to the Constitution of America? This amendment is being rejected by fellow Americans?

For crying out loud, all we are saying is that if they own land next to the Federal Government, they get their constitutional rights. But I cannot believe it. My friend and colleagues are saying, no, no, no. We are the Government and there are things the common people do not understand, because we are Washington and we have the franchise on this intellectual elitism that is going to run the country in the new world order and we do not want fellow Americans to enjoy the right of pursuit of happiness and property.

This is a sad day, my colleagues. I may say this speech with a little flippancy. But all the Pombo amendment says is that, if their land is next to the Federal Government land, they can enjoy their private property rights constitutionally given to them, written at the Constitutional Convention in 1789.

We are saying, no, the Congress of the United States in the year 2000 is too advanced to accept those longstanding principles.

This amendment should be accepted without a vote.

Mr. POMBO. Madam Chairman, I yield myself the balance of the time.

Madam chairman, I would like to bring us back to what we are doing here today. We are approving legislation which will shove almost a billion dollars a year into land acquisition every single year.

What I am saying is that, if under this act, because we are shoving so much new money at new land purchases, if the Federal Government goes in and goes after land that is around their property or adjacent to the land that they own, that the Federal Government is not going to control the land that they own, as a private property owner and as an American citizen, that they are not going to take away their property rights just because we are shoving another billion dollars a year into land acquisition.

□ 2100

This is one of my major complaints with this legislation. The Federal Government goes in and through adverse condemnation takes away property rights through regulation, away from

private citizens. They do not pay for it. They do not sit down and negotiate a fair price. They just take it.

Now, let us just say that you happen to know a little inn on the side of a river somewhere. It is a beautiful place. The government comes in and buys the land around you and they tell you, "We don't want you there anymore." Under current law, they can shut you down. They can say, you cannot improve your place anymore, you cannot discharge anymore, you cannot put a fire in your fireplace anymore, all because they came in and bought land around you. This bill has a provision for a willing seller in it and I will be damned if you are not going to become a willing seller under that provision. That is exactly what is going to happen.

All I am trying to do is to protect those property owners that end up because of this bill getting stuck inside some green area, not because of any action of their own but because of an action of this Congress. I just want to protect those property owners. That is all this amendment is trying to do. Darn if Members should not accept it.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume. It is very interesting rhetoric. He says if you own some land inside of a green space. Yes, if you have an inholding inside of Yellowstone Park or Yosemite Park or Grand Tetons or the Everglades, there are other laws on the books that keep you from strip mining inside of that park, from oil and gas development inside of that park, because of the impact on the parks, the national park system of this country. Waste disposal. You do not get to just create waste disposal. You do not get to create a toxic site and have it run off your land.

The fact of the matter is under this legislation, CARA gives no authority to regulate as the gentleman from Louisiana (Mr. TAUZIN) pointed out in his opening remarks. No authority to do that. There are other laws. There are other laws on the books such as Clean Air and Clean Water, the mining act, mining in the park lands. Those laws still continue to apply. That is just a matter of a good neighbor. All we are saying is that there is nothing in CARA that expands that authority. They cannot shut down your inn. If they do, they owe you just compensation. That is the way the Constitution of the United States exists.

This amendment ought to be rejected because it is designed to undercut the other basic laws of the land that might apply to those lands that have nothing to do with CARA.

Mr. TAUZIN. Madam Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Madam Chairman, I thank the gentleman for yielding. Let me read to my colleagues what is in CARA again. CARA says right now,

Federal agencies using funds appropriated by this act may not apply any regulation on any lands until the lands or water or an interest area is acquired in effect by the government. Until it is acquired, no new regulations. As far as other acts that apply regulations to those lands, they still apply. We do not change that. But we do protect against CARA increasing any regulatory authority on any land located next to any park. This amendment ought to be rejected.

The CHAIRMAN pro tempore (Mrs. EMERSON). The question is on the amendment offered by the gentleman from California (Mr. POMBO).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. POMBO. Madam Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from California (Mr. POMBO) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 2 offered by the gentleman from Ohio (Mr. REGULA); amendment No. 3 offered by the gentleman from California (Mr. RADANOVICH); amendment No. 4 offered by the gentleman from Colorado (Mr. TANCREDO); amendment No. 6 offered by the gentleman from Arizona (Mr. SHADEGG); amendment No. 7 offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE); and amendment No. 8 offered by the gentleman from California (Mr. POMBO).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. REGULA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. REGULA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 109, noes 317, not voting 8, as follows:

[Roll No. 160]

AYES—109

Archer
Armey
Barr
Barrett (NE)
Bartlett
Barton
Bereuter

Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burton
Buyer

Chabot
Chenoweth-Hage
Coburn
Combest
Cook
Cubin
DeLay

DeMint
Dickey
Doolittle
Doyle
Duncan
Ehlers
Emerson
Ewing
Fletcher
Ganske
Gekas
Gibbons
Gillmor
Goodlatte
Granger
Green (TX)
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson

Istook
Jenkins
Johnson, Sam
Kasich
Knollenberg
Kolbe
Largent
Latham
LaTourette
Leach
Lewis (KY)
Linder
Manzullo
McInnis
Miller, Gary
Mollohan
Murtha
Ney
Nussle
Obey
Ortiz
Oxley
Paul
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)

NOES—317

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berry
Biggert
Blibray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)

Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Dreier
Dunn
Edwards
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)

Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley

Moore	Rohrabacher	Tanner	[Roll No. 161]	Klecza	Morella	Shays
Moran (KS)	Ros-Lehtinen	Tauscher		Klink	Murtha	Sherman
Moran (VA)	Rothman	Tauzin	AYES—153	Kucinich	Nadler	Sherwood
Morella	Roukema	Taylor (MS)		Kuykendall	Napolitano	Shows
Myrick	Roybal-Allard	Thomas		LaFalce	Neal	Shuster
Nadler	Royce	Thompson (CA)		LaHood	Northup	Siskis
Napolitano	Rush	Thompson (MS)		Lampson	Oberstar	Skelton
Neal	Sabo	Thune		Lantos	Olver	Slaughter
Nethercutt	Sanchez	Thurman		Larson	Ortiz	Smith (NJ)
Northup	Sanders	Tierney		LaTourette	Owens	Smith (WA)
Norwood	Sandlin	Towns		Lazio	Pallone	Snyder
Oberstar	Sanford	Trafficant		Leach	Pascarell	Souder
Olver	Sawyer	Turner		Lee	Payne	Spratt
Ose	Saxton	Udall (CO)		Levin	Pelosi	Stabenow
Owens	Scarborough	Udall (NM)		Lewis (GA)	Peterson (MN)	Stark
Packard	Schakowsky	Upton		Lipinski	Phelps	Strickland
Pallone	Scott	Velazquez		LoBiondo	Pickering	Tanner
Pascarell	Sensenbrenner	Vento		Lofgren	Pickett	Tauscher
Pastor	Serrano	Vitter		Porter	Tauzin	Tauzin
Payne	Shaw	Walden		Lucas (KY)	Portman	Taylor (MS)
Pelosi	Shays	Walsh		Luther	Price (NC)	Thompson (CA)
Peterson (MN)	Sherman	Waters		Maloney (CT)	Quinn	Thompson (MS)
Petri	Shimkus	Watt (NC)		Maloney (NY)	Rahall	Thurman
Phelps	Shows	Watts (OK)		Markey	Ramstad	Tierney
Pickett	Shuster	Waxman		Mascara	Rangel	Towns
Pomeroy	Sisisky	Weiner		Matsui	Reyes	Trafficant
Porter	Skelton	Weldon (FL)		McCarthy (MO)	Reynolds	Turner
Price (NC)	Slaughter	Weldon (PA)		McCarthy (NY)	Riley	Udall (CO)
Quinn	Smith (NJ)	Weller		McCrery	Rivers	Udall (NM)
Rahall	Smith (WA)	Wexler		McDermott	Rodriguez	Upton
Ramstad	Snyder	Weygand		McGovern	Roemer	Velazquez
Rangel	Souder	Wilson		McIntyre	Rogan	Vento
Reyes	Spence	Wolf		McKinney	Ros-Lehtinen	Visclosky
Reynolds	Spratt	Woolsey		McNulty	Rothman	Vitter
Riley	Stabenow	Wu		Meehan	Roukema	Walsh
Rivers	Stark	Wynn		Meek (FL)	Roybal-Allard	Waters
Rodriguez	Stearns	Young (AK)		Meeks (NY)	Rush	Watt (NC)
Roemer	Strickland	Young (FL)		Menendez	Sabo	Waxman
Rogan	Stupak			Millender-	Sanchez	Weiner
Rogers	Sweeney			McDonald	Sanders	Weldon (PA)
				Miller (FL)	Sandlin	Weller
				Miller, George	Sanford	Wexler
				Minge	Sawyer	Weygand
				Mink	Saxton	Wolf
				Moakley	Scarborough	Woolsey
				Mollohan	Schakowsky	Wu
				Moore	Scott	Wynn
				Moran (KS)	Serrano	Young (AK)
				Moran (VA)	Shaw	

NOT VOTING—8

Bateman	Coble	Martinez
Berman	Franks (NJ)	Wise
Campbell	Lucas (OK)	

□ 2126

Messrs. BLILEY, KINGSTON, EVERETT, ROYCE, McNULTY, GOODE, SCARBOROUGH, DREIER, and YOUNG of Alaska, and Ms. EDDIE BERNICE JOHNSON of Texas and Ms. DUNN changed their vote from “aye” to “no.”

Messrs. LEWIS of Kentucky, GANSKE, MURTHA, WHITFIELD, ORTIZ and HINOJOSA changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mrs. EMERSON). Pursuant to House Resolution 497, the Chair announces that she will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 3 OFFERED BY MR. RADANOVICH

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. RADANOVICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 273, not voting 8, as follows:

Aderholt	Graham	Pastor
Archer	Granger	Paul
Armey	Green (WI)	Pease
Ballenger	Gutknecht	Peterson (PA)
Barr	Hall (TX)	Petri
Bartlett	Hansen	Pitts
Barton	Hastings (WA)	Pombo
Berry	Hayworth	Pomeroy
Bliley	Hefley	Pryce (OH)
Blunt	Herger	Radanovich
Boehner	Hill (MT)	Regula
Bonilla	Hilleary	Rogers
Brady (TX)	Hobson	Rohrabacher
Bryant	Hoekstra	Royce
Burton	Horn	Ryan (WI)
Buyer	Hostettler	Ryun (KS)
Calvert	Hulshof	Salmon
Camp	Hunter	Schaffer
Canady	Hutchinson	Sensenbrenner
Cannon	Hyde	Sessions
Chabot	Istook	Shadegg
Chambliss	Jenkins	Shimkus
Chenoweth-Hage	Johnson (CT)	Simpson
Coburn	Johnson, Sam	Skeen
Collins	Kasich	Smith (MI)
Combest	Kingston	Smith (TX)
Condit	Knollenberg	Spence
Cook	Kolbe	Stearns
Cubin	Largent	Stenholm
Cunningham	Latham	Stump
Deal	Lewis (CA)	Stupak
DeLay	Lewis (KY)	Sununu
DeMint	Linder	Sweeney
Dickey	Manzullo	Talent
McCollum	McCollum	Tancredo
McHugh	McHugh	Taylor (NC)
McInnis	McInnis	Terry
McIntosh	McIntosh	Thomas
McKeon	McKeon	Thornberry
Metcalf	Metcalf	Thune
Mica	Mica	Tiahrt
Miller, Gary	Miller, Gary	Toomey
Myrick	Myrick	Walden
Nethercutt	Nethercutt	Wamp
Ney	Ney	Watkins
Norwood	Norwood	Watts (OK)
Nussle	Nussle	Weldon (FL)
Obey	Obey	Whitfield
Ose	Ose	Wicker
Oxley	Oxley	Wilson
Packard	Packard	Young (FL)

NOES—273

Abercrombie	Clement	Frost
Ackerman	Clyburn	Ganske
Allen	Conyers	Gejdenson
Andrews	Cooksey	Gephardt
Baca	Costello	Gilchrest
Bachus	Cox	Gillmor
Baird	Coyne	Gilman
Baker	Cramer	Gonzalez
Baldacci	Crane	Gordon
Baldwin	Crowley	Green (TX)
Barcia	Cummings	Greenwood
Barrett (NE)	Danner	Gutierrez
Barrett (WI)	Davis (FL)	Hall (OH)
Bass	Davis (IL)	Hastings (FL)
Becerra	Davis (VA)	Hayes
Bentsen	DeFazio	Hill (IN)
Bereuter	DeGette	Hilliard
Berkley	Delahunt	Hinchey
Biggett	DeLauro	Hinojosa
Bilbray	Deutsch	Hoefel
Bilirakis	Diaz-Balart	Holden
Bishop	Dicks	Holt
Blagojevich	Dingell	Hooley
Blumenauer	Dixon	Houghton
Boehlert	Doggett	Hoyer
Bonior	Dooley	Inslee
Bono	Doyle	Isakson
Borski	Edwards	Jackson (IL)
Boswell	Ehlers	Jackson-Lee
Boucher	Engel	(TX)
Boyd	English	Jefferson
Brady (PA)	Eshoo	John
Brown (FL)	Etheridge	Johnson, E. B.
Brown (OH)	Evans	Jones (NC)
Burr	Ewing	Jones (OH)
Callahan	Farr	Kanjorski
Capps	Fattah	Kaptur
Capuano	Filner	Kelly
Cardin	Foley	Kennedy
Carson	Forbes	Kildee
Castle	Ford	Kilpatrick
Clay	Frank (MA)	Kind (WI)
Clayton	Frelinghuysen	King (NY)

NOT VOTING—8

Bateman	Coble	Martinez
Berman	Franks (NJ)	Wise
Campbell	Lucas (OK)	

□ 2134

Mr. HOLT changed his vote from “aye” to “no.”

Mr. SWEENEY changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY TANCREDO

The CHAIRMAN pro tempore (Mrs. EMERSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 315, not voting 10, as follows:

[Roll No. 162]

AYES—109

Aderholt	Armey	Barrett (NE)
Archer	Barr	Bartlett

Barton	Herger	Rogan	McInnis	Pomeroy	Souder	Burr	Hobson	Riley
Berry	Hill (MT)	Rohrabacher	McIntosh	Porter	Spratt	Burton	Hoekstra	Roemer
Bliley	Hilleary	Royce	McIntyre	Portman	Stabenow	Buyer	Holden	Rogan
Blunt	Hobson	Ryun (KS)	McKinney	Price (NC)	Stark	Calvert	Hostettler	Rogers
Boehner	Hoekstra	Salmon	McNulty	Pryce (OH)	Strickland	Camp	Hulshof	Rohrabacher
Bonilla	Hostettler	Schaffer	Meehan	Quinn	Stupak	Canady	Hunter	Roukema
Burton	Hulshof	Sensenbrenner	Meek (FL)	Rahall	Sununu	Cannon	Hutchinson	Royce
Buyer	Hunter	Sessions	Meeks (NY)	Ramstad	Talent	Chabot	Isakson	Ryan (WI)
Calvert	Johnson, Sam	Shadegg	Menendez	Rangel	Tanner	Chambliss	Jenkins	Ryun (KS)
Cannon	Kingston	Sherwood	Mica	Reyes	Tauscher	Chenoweth-Hage	Johnson, Sam	Sabo
Chabot	Knollenberg	Shimkus	Millender-	Riley	Tauzin	Coburn	Jones (NC)	Salmon
Chenoweth-Hage	Largent	Simpson	McDonald	Rivers	Taylor (MS)	Collins	Kasich	Sandlin
Coburn	Latham	Smith (MI)	Miller (FL)	Rodriguez	Thompson (CA)	Combest	Kingston	Sanford
Collins	Lewis (CA)	Smith (TX)	Miller, George	Roemer	Thompson (MS)	Condit	Klink	Saxton
Combest	Lewis (KY)	Spence	Minge	Rogers	Thurman	Cook	Knollenberg	Scarborough
Cook	Linder	Stearns	Mink	Ros-Lehtinen	Tierney	Cooksey	Kolbe	Schaffer
Cubin	Manzullo	Steinholm	Moakley	Rothman	Towns	Costello	Kuykendall	Sensenbrenner
Cunningham	McHugh	Stump	Mollohan	Roukema	Trafigant	Cox	LaHood	Sessions
DeLay	McKeon	Sweeney	Moore	Roybal-Allard	Turner	Crane	Largent	Shadegg
DeMint	Metcalf	Tancred	Moran (VA)	Rush	Udall (CO)	Cubin	Latham	Shaw
Dickey	Miller, Gary	Taylor (NC)	Morella	Ryan (WI)	Udall (NM)	Cunningham	LaTourette	Sherwood
Doolittle	Moran (KS)	Terry	Murtha	Sabo	Upton	Danner	Lewis (CA)	Shimkus
Emerson	Nethercutt	Thomas	Myrick	Sanchez	Velazquez	Davis (VA)	Lewis (KY)	Shows
Everett	Ney	Thornberry	Nadler	Sanders	Vento	Deal	Linder	Simpson
Fletcher	Northup	Thune	Napolitano	Sandlin	Visclosky	DeLay	LoBiondo	Sisisky
Fossella	Norwood	Tiahrt	Neal	Sanford	Vitter	DeMint	Lucas (KY)	Skeen
Gibbons	Ose	Toomey	Nussle	Sawyer	Walsh	Dickey	Luther	Skelton
Goodlatte	Oxley	Walden	Oberstar	Saxton	Waters	Doggett	Manzullo	Smith (MI)
Goodling	Paul	Wamp	Obey	Scarborough	Watt (NC)	Doolittle	McCollum	Smith (NJ)
Graham	Petri	Watkins	Oliver	Schakowsky	Waxman	Dreier	McHugh	Smith (TX)
Granger	Pitts	Watts (OK)	Ortiz	Scott	Weiner	Duncan	McIntosh	Souder
Gutknecht	Pombo	Weldon (FL)	Owens	Serrano	Weldon (PA)	Dunn	McIntyre	Spence
Hastings (WA)	Radanovich	Wicker	Packard	Shaw	Weller	Edwards	McKeon	Spratt
Hayworth	Regula		Pallone	Shays	Wexler	Ehrlich	Metcalf	Stearns
Hefley	Reynolds		Pascarell	Sherman	Weygand	Emerson	Mica	Steinholm
			Pastor	Shoemaker	Whitfield	Evans	Miller (FL)	Stump
			Payne	Shuster	Wilson	Everett	Miller, Gary	Stupak
			Pease	Sisisky	Wolf	Ewing	Minge	Sununu
			Pelosi	Skeen	Woolsey	Fletcher	Moran (KS)	Sweeney
			Peterson (MN)	Skelton	Wu	Fossella	Myrick	Talent
			Peterson (PA)	Slaughter	Wynn	Fowler	Nethercutt	Tancred
			Phelps	Smith (NJ)	Young (AK)	Gallely	Ney	Tanner
			Pickering	Smith (WA)	Young (FL)	Ganske	Northrup	Taylor (MS)
			Pickett	Snyder		Gekas	Norwood	Taylor (NC)
						Gibbons	Nussle	Terry
						Gillmor	Obey	Thomas
						Goode	Ose	Thornberry
						Goodlatte	Oxley	Thune
						Goodling	Packard	Thurman
						Gordon	Paul	Tiahrt
						Goss	Pease	Toomey
						Graham	Peterson (MN)	Trafigant
						Granger	Peterson (PA)	Upton
						Green (TX)	Petri	Vitter
						Green (WI)	Phelps	Walden
						Gutknecht	Pickering	Wamp
						Hall (TX)	Pitts	Watkins
						Hastings (WA)	Pombo	Watts (OK)
						Hayes	Pomeroy	Weldon (FL)
						Hayworth	Portman	Weldon (PA)
						Hefley	Pryce (OH)	Whitfield
						Herger	Ramstad	Wicker
						Hill (IN)	Regula	Wilson
						Hill (MT)	Reynolds	Wolf
						Hilleary		Young (FL)

NOES—208

Abercrombie	Castle	Forbes
Ackerman	Clay	Ford
Allen	Clayton	Frank (MA)
Andrews	Clement	Frelinghuysen
Baca	Clyburn	Frost
Bachus	Conyers	Gejdenson
Baird	Coyne	Gephardt
Baker	Cramer	Gilchrest
Baldacci	Crowley	Gilman
Baldwin	Cummings	Gonzalez
Barrett (WI)	Davis (FL)	Greenwood
Bass	Davis (IL)	Gutierrez
Becerra	DeFazio	Hall (OH)
Bentsen	DeGette	Hansen
Berkley	Delahunt	Hastings (FL)
Biggart	DeLauro	Hilliard
Bilbray	Deutsch	Hinchey
Blagojevich	Diaz-Balart	Hinojosa
Blumenauer	Dicks	Hoefel
Boehlert	Dingell	Holt
Bonior	Dixon	Hooley
Bono	Dooley	Horn
Borski	Doyle	Houghton
Boswell	Ehlers	Hoyer
Boucher	Engel	Hyde
Brady (PA)	English	Inslee
Brady (TX)	Eshoo	Jackson (IL)
Brown (FL)	Etheridge	Jackson-Lee
Brown (OH)	Farr	(TX)
Bryant	Fattah	John
Burr	Filner	Johnson (CT)
Callahan	Foley	Johnson, E. B.

Barton	Herger	Rogan	McInnis	Pomeroy	Souder	Burr	Hobson	Riley
Berry	Hill (MT)	Rohrabacher	McIntosh	Porter	Spratt	Burton	Hoekstra	Roemer
Bliley	Hilleary	Royce	McIntyre	Portman	Stabenow	Buyer	Holden	Rogan
Blunt	Hobson	Ryun (KS)	McKinney	Price (NC)	Stark	Calvert	Hostettler	Rogers
Boehner	Hoekstra	Salmon	McNulty	Pryce (OH)	Strickland	Camp	Hulshof	Rohrabacher
Bonilla	Hostettler	Schaffer	Meehan	Quinn	Stupak	Canady	Hunter	Roukema
Burton	Hulshof	Sensenbrenner	Meek (FL)	Rahall	Sununu	Cannon	Hutchinson	Royce
Buyer	Hunter	Sessions	Meeks (NY)	Ramstad	Talent	Chabot	Isakson	Ryan (WI)
Calvert	Johnson, Sam	Shadegg	Menendez	Rangel	Tanner	Chambliss	Jenkins	Ryun (KS)
Cannon	Kingston	Sherwood	Mica	Reyes	Tauscher	Chenoweth-Hage	Johnson, Sam	Sabo
Chabot	Knollenberg	Shimkus	Millender-	Riley	Tauzin	Coburn	Jones (NC)	Salmon
Chenoweth-Hage	Largent	Simpson	McDonald	Rivers	Taylor (MS)	Collins	Kasich	Sandlin
Coburn	Latham	Smith (MI)	Miller (FL)	Rodriguez	Thompson (CA)	Combest	Kingston	Sanford
Collins	Lewis (CA)	Smith (TX)	Miller, George	Roemer	Thompson (MS)	Condit	Klink	Saxton
Combest	Lewis (KY)	Spence	Minge	Rogers	Thurman	Cook	Knollenberg	Scarborough
Cook	Linder	Stearns	Mink	Ros-Lehtinen	Tierney	Cooksey	Kolbe	Schaffer
Cubin	Manzullo	Steinholm	Moakley	Rothman	Towns	Costello	Kuykendall	Sensenbrenner
Cunningham	McHugh	Stump	Mollohan	Roukema	Trafigant	Cox	LaHood	Sessions
DeLay	McKeon	Sweeney	Moore	Roybal-Allard	Turner	Crane	Largent	Shadegg
DeMint	Metcalf	Tancred	Moran (VA)	Rush	Udall (CO)	Cubin	Latham	Shaw
Dickey	Miller, Gary	Taylor (NC)	Morella	Ryan (WI)	Udall (NM)	Cunningham	LaTourette	Sherwood
Doolittle	Moran (KS)	Terry	Murtha	Sabo	Upton	Danner	Lewis (CA)	Shimkus
Emerson	Nethercutt	Thomas	Myrick	Sanchez	Velazquez	Davis (VA)	Lewis (KY)	Shows
Everett	Ney	Thornberry	Nadler	Sanders	Vento	Deal	Linder	Simpson
Fletcher	Northup	Thune	Napolitano	Sandlin	Visclosky	DeLay	LoBiondo	Sisisky
Fossella	Norwood	Tiahrt	Neal	Sanford	Vitter	DeMint	Lucas (KY)	Skeen
Gibbons	Ose	Toomey	Nussle	Sawyer	Walsh	Dickey	Luther	Skelton
Goodlatte	Oxley	Walden	Oberstar	Saxton	Waters	Doggett	Manzullo	Smith (MI)
Goodling	Paul	Wamp	Obey	Scarborough	Watt (NC)	Doolittle	McCollum	Smith (NJ)
Graham	Petri	Watkins	Oliver	Schakowsky	Waxman	Dreier	McHugh	Smith (TX)
Granger	Pitts	Watts (OK)	Ortiz	Scott	Weiner	Duncan	McIntosh	Souder
Gutknecht	Pombo	Weldon (FL)	Owens	Serrano	Weldon (PA)	Dunn	McIntyre	Spence
Hastings (WA)	Radanovich	Wicker	Packard	Shaw	Weller	Edwards	McKeon	Spratt
Hayworth	Regula		Pallone	Shays	Wexler	Ehrlich	Metcalf	Stearns
Hefley	Reynolds		Pascarell	Sherman	Weygand	Emerson	Mica	Steinholm
			Pastor	Shoemaker	Whitfield	Evans	Miller (FL)	Stump
			Payne	Shuster	Wilson	Everett	Miller, Gary	Stupak
			Pease	Sisisky	Wolf	Ewing	Minge	Sununu
			Pelosi	Skeen	Woolsey	Fletcher	Moran (KS)	Sweeney
			Peterson (MN)	Skelton	Wu	Fossella	Myrick	Talent
			Peterson (PA)	Slaughter	Wynn	Fowler	Nethercutt	Tancred
			Phelps	Smith (NJ)	Young (AK)	Gallely	Ney	Tanner
			Pickering	Smith (WA)	Young (FL)	Ganske	Northrup	Taylor (MS)
			Pickett	Snyder		Gekas	Norwood	Taylor (NC)
						Gibbons	Nussle	Terry
						Gillmor	Obey	Thomas
						Goode	Ose	Thornberry
						Goodlatte	Oxley	Thune
						Goodling	Packard	Thurman
						Gordon	Paul	Tiahrt
						Goss	Pease	Toomey
						Graham	Peterson (MN)	Trafigant
						Granger	Peterson (PA)	Upton
						Green (TX)	Petri	Vitter
						Green (WI)	Phelps	Walden
						Gutknecht	Pickering	Wamp
						Hall (TX)	Pitts	Watkins
						Hastings (WA)	Pombo	Watts (OK)
						Hayes	Pomeroy	Weldon (FL)
						Hayworth	Portman	Weldon (PA)
						Hefley	Pryce (OH)	Whitfield
						Herger	Ramstad	Wicker
						Hill (IN)	Regula	Wilson
						Hill (MT)	Reynolds	Wolf
						Hilleary		Young (FL)

NOES—315

Abercrombie	Davis (VA)	Holden
Ackerman	Deal	Holt
Allen	DeFazio	Hooley
Andrews	DeGette	Horn
Baca	Delahunt	Houghton
Bachus	DeLauro	Hoyer
Baird	Deutsch	Hutchinson
Baker	Diaz-Balart	Hyde
Baldacci	Dicks	Inlee
Baldwin	Dingell	Isakson
Ballenger	Dixon	Jackson (IL)
Barcia	Doggett	Jackson-Lee
Barrett (WI)	Dooley	(TX)
Bass	Doyle	Jefferson
Becerra	Dreier	Jenkins
Bentsen	Duncan	John
Bereuter	Dunn	Johnson (CT)
Berkley	Edwards	Johnson, E. B.
Biggart	Ehlers	Jones (NC)
Bilbray	Ehrlich	Jones (OH)
Bilirakis	Engel	Kanjorski
Bishop	English	Kaptur
Blagojevich	Eshoo	Kasich
Blumenauer	Etheridge	Kelly
Boehlert	Evans	Kennedy
Bonior	Ewing	Kildee
Bono	Farr	Kilpatrick
Borski	Fattah	Kind (WI)
Boswell	Filner	King (NY)
Boucher	Foley	Kleccka
Boyd	Forbes	Klink
Brady (PA)	Ford	Kolbe
Brady (TX)	Fowler	Kucinich
Brown (FL)	Frank (MA)	Kuykendall
Brown (OH)	Frelinghuysen	LaFalce
Bryant	Frost	LaHood
Burr	Gallely	Lampson
Callahan	Ganske	Lantos
Canady	Gejdenson	Larson
Capps	Gekas	LaTourette
Capuano	Gephardt	Lazio
Cardin	Gilchrest	Leach
Carson	Gillmor	Lee
Castle	Gilman	Levin
Chambliss	Gonzalez	Lewis (GA)
Clay	Goode	Lipinski
Clayton	Gordon	LoBiondo
Clement	Goss	Lofgren
Clyburn	Green (TX)	Lowey
Condit	Green (WI)	Lucas (KY)
Conyers	Greenwood	Luther
Cooksey	Gutierrez	Maloney (CT)
Costello	Hall (OH)	Maloney (NY)
Cox	Hall (TX)	Markey
Coyne	Hansen	Mascara
Cramer	Hastings (FL)	Matsui
Crane	Hayes	McCarthy (MO)
Crowley	Hill (IN)	McCarthy (NY)
Cummings	Hilliard	McCollum
Danner	Hinchey	McCrery
Davis (FL)	Hinojosa	McDermott
Davis (IL)	Hoefel	McGovern

NOT VOTING—10

Bateman	Coble	Martinez
Berman	Franks (NJ)	Wise
Camp	Istook	
Campbell	Lucas (OK)	

□ 2143

Mr. POMEROY changed his vote from “aye” to “no.”

Mr. HOBSON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY SHADEGG

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment of-fered by the gentleman from Arizona (Mr. SHADEGG) on which further pro-ceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-ment.

RECORDED VOTE

The CHAIRMAN pro tempore. A re-corded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic de-vice, and there were—ayes 216, noes 208, not voting 10, as follows:

[Roll No. 163]

AYES—216

Aderholt	Bartlett	Blunt
Archer	Barton	Boehner
Armey	Bereuter	Bonilla
Ballenger	Berry	Boswell
Barcia	Bilirakis	Boyd
Barr	Bishop	Brady (TX)
Barrett (NE)	Bliley	Bryant

Jones (OH)	Meeks (NY)	Sanders	Cox	Johnson (CT)	Rohrabacher	McCrery	Phelps	Snyder
Kanjorski	Menendez	Sawyer	Crane	Johnson, Sam	Royce	McDermott	Pickett	Spratt
Kaptur	Millender-	Schakowsky	Cubin	Jones (NC)	Ryan (WI)	McGovern	Pomeroy	Stabenow
Kelly	McDonald	Scott	Cunningham	King (NY)	Ryun (KS)	McIntosh	Porter	Stark
Kennedy	Miller, George	Serrano	Deal	Kingston	Salmon	McIntyre	Price (NC)	Strickland
Kildee	Mink	Shays	DeLay	Knollenberg	Sanford	McKinney	Quinn	Stupak
Kilpatrick	Moakley	Sherman	DeMint	Kolbe	Schaffer	McNulty	Rahall	Tanner
Kind (WI)	Mollohan	Shuster	Dickey	Largent	Sensenbrenner	Meehan	Ramstad	Tauscher
King (NY)	Moore	Slaughter	Doolittle	Latham	Sessions	Meek (FL)	Rangel	Tauzin
Kleczka	Moran (VA)	Smith (WA)	Dreier	Lewis (CA)	Shadegg	Meeks (NY)	Reyes	Taylor (MS)
Kucinich	Morella	Snyder	Duncan	Lewis (KY)	Sherwood	Menendez	Rivers	Thompson (CA)
LaFalce	Murtha	Stabenow	Dunn	Linder	Shimkus	Millender-	Rodriguez	Thompson (MS)
Lampson	Nadler	Stark	Ehrlich	Manzullo	Shows	McDonald	Roemer	Thurman
Lantos	Napolitano	Strickland	Emerson	McCollum	Simpson	Miller, George	Ros-Lehtinen	Tierney
Larson	Neal	Tauscher	Everett	McHugh	Skeen	Minge	Rothman	Towns
Lazio	Oberstar	Tauzin	Fletcher	McInnis	Smith (MI)	Mink	Roukema	Turner
Leach	Oliver	Thompson (CA)	Fossella	McKeon	Smith (TX)	Moakley	Roybal-Allard	Udall (CO)
Lee	Ortiz	Thompson (MS)	Fowler	Metcalf	Souder	Mollohan	Rush	Udall (NM)
Levin	Owens	Tierney	Gallegly	Mica	Spence	Moore	Sabo	Upton
Lewis (GA)	Pallone	Towns	Ganske	Miller (FL)	Stearns	Moran (VA)	Sanchez	Velazquez
Lipinski	Pascarell	Turner	Gibbons	Miller, Gary	Stenholm	Morella	Sanders	Vento
Lofgren	Pastor	Udall (CO)	Gibbs	Moran (KS)	Stump	Murtha	Sandlin	Visclosky
Lowey	Payne	Udall (NM)	Goodlatte	Myrick	Sununu	Nadler	Sawyer	Vitter
Maloney (CT)	Pelosi	Velazquez	Goodling	Nethercutt	Sweeney	Napolitano	Saxton	Walsh
Maloney (NY)	Pickett	Vento	Goss	Ney	Talent	Neal	Scarborough	Waters
Markley	Porter	Visclosky	Graham	Northup	Tancredo	Oberstar	Schakowsky	Watt (NC)
Mascara	Price (NC)	Walsh	Granger	Norwood	Taylor (NC)	Obey	Scott	Waxman
Matsui	Quinn	Waters	Green (WI)	Nussle	Terry	Olver	Serrano	Weiner
McCarthy (MO)	Rahall	Watt (NC)	Gutknecht	Ose	Thomas	Ortiz	Shaw	Weldon (PA)
McCarthy (NY)	Rangel	Waxman	Hall (TX)	Oxley	Thornberry	Owens	Shays	Weller
McCrery	Reyes	Weiner	Hansen	Packard	Thune	Pallone	Sherman	Wexler
McDermott	Rivers	Weller	Hastings (WA)	Paul	Tiahrt	Pascarell	Shuster	Weygand
McGovern	Rodriguez	Wexler	Hayworth	Peterson (PA)	Toomey	Pastor	Sisisky	Whitfield
McInnis	Ros-Lehtinen	Weygand	Hefley	Petri	Trafilant	Payne	Skelton	Woolsey
McKinney	Rothman	Woolsey	Herger	Pickering	Walden	Pease	Slaughter	Wu
McNulty	Roybal-Allard	Wu	Hill (MT)	Pitts	Wamp	Pelosi	Smith (NJ)	Wynn
Meehan	Rush	Wynn	Hilleary	Pombo	Watkins	Peterson (MN)	Smith (WA)	Young (AK)
Meek (FL)	Sanchez	Young (AK)	Hobson	Portman	Watts (OK)			
			Hoekstra	Pryce (OH)	Weldon (FL)			
			Hostettler	Radanovich	Wicker	Bateman	Coble	Lucas (OK)
			Hulshof	Regula	Wilson	Berman	Franks (NJ)	Martinez
			Hunter	Reynolds	Wolf	Campbell	Istook	Wise
			Hutchinson	Riley	Young (FL)			
			Hyde	Rogan				
			Jenkins	Rogers				

NOT VOTING—10

Bateman	Franks (NJ)	Martinez
Berman	Istook	Wise
Campbell	Jefferson	
Coble	Lucas (OK)	

□ 2152

Messrs. HILL of Indiana, EHRLICH, GEKAS and COOKSEY changed their vote from “no” to “aye.”

Ms. RIVERS changed her vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MRS. CHENOWETH-HAGE

The CHAIRMAN pro tempore (Mrs. EMERSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 265, not voting 9, as follows:

[Roll No. 164]

AYES—160

Aderholt	Bliley	Camp
Archer	Blunt	Canady
Armey	Boehner	Cannon
Ballenger	Bonilla	Chabot
Barr	Brady (TX)	Chenoweth-Hage
Barrett (NE)	Bryant	Coburn
Bartlett	Burton	Collins
Barton	Buyer	Combest
Berry	Calvert	Cook

Abercrombie

Ackerman	Allen	Andrews
Baca	Bachus	Baird
Baker	Baldacci	Baldwin
Barcia	Barrett (WI)	Bass
Becerra	Bentsen	Bereuter
Berkley	Biggett	Bilbray
Bilirakis	Engel	English
Bishop	Eshoo	Etheridge
Blumenauer	Boehlert	Evans
Bonior	Ewing	Farr
Bono	Fattah	Filner
Borski	Foley	Forbes
Boswell	Ford	Frank (MA)
Boucher	Frelinghuysen	Frost
Boyd	Gejdenson	Gekas
Brady (PA)	Gephardt	Gilchrist
Brown (FL)	Gillmor	Gilman
Brown (OH)	Gonzalez	Gordon
Burr	Green (TX)	Greenwood
Callahan	Gutierrez	Hall (OH)
Capps	Hall (IN)	Hastings (FL)
Capuano	Hayes	Hill (IN)
Cardin	Hilliard	Hinchey
Carson	Hinojosa	
Castle		
Chambliss		
Clay		
Clayton		
Clement		
Clyburn		
Condit		
Conyers		
Cooksey		
Costello		
Coyne		
Cramer		
Crowley		

NOES—265

Cummings	Danner	Davis (FL)
Davis (IL)	Davis (VA)	DeFazio
DeGette	Delahunt	DeLauro
Deutsch	Diaz-Balart	Dicks
Dingell	Dixon	Doggett
Dooley	Doyle	Edwards
Ehlers	Engel	English
Eshoo	Etheridge	Evans
Ewing	Farr	Fattah
Filner	Foley	Forbes
Ford	Frank (MA)	Frelinghuysen
Frost	Gejdenson	Gekas
Gephardt	Gilchrist	Gillmor
Gilman	Gonzalez	Gordon
Green (TX)	Greenwood	Gutierrez
Hall (OH)	Hall (IN)	Hastings (FL)
Hayes	Hill (IN)	Hilliard
Hinchey	Hinojosa	

Hoeffel	Holden	Holt
Hoolley	Horn	Houghton
Hoyer	Inslee	Isakson
Jackson (IL)	Jackson-Lee	(TX)
Jefferson	John	Johnson, E. B.
Jones (OH)	Kanjorski	Kaptur
Kasich	Kelly	Kennedy
Kildee	Kilpatrick	Kind (WI)
Kleczka	Klink	Kucinich
Kuykendall	LaFalce	LaHood
Lampson	Lantos	Larson
LaTourette	Lazio	Leach
Lee	Levin	Lewis (GA)
Lipinski	LoBiondo	Lofgren
Lowey	Lucas (KY)	Luther
Maloney (CT)	Maloney (NY)	Markley
Matsui	McCarthy (MO)	McCarthy (NY)

NOT VOTING—9

Bateman	Coble	Lucas (OK)
Berman	Franks (NJ)	Martinez
Campbell	Istook	Wise

□ 2201

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. POMBO

The CHAIRMAN pro tempore (Mrs. EMERSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. POMBO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 253, not voting 10, as follows:

[Roll No. 165]

AYES—171

Aderholt	Buyer	Dickey
Archer	Calvert	Doolittle
Armey	Camp	Dreier
Baca	Canady	Duncan
Baldacci	Cannon	Dunn
Ballenger	Chabot	Edwards
Barr	Chambliss	Emerson
Barrett (NE)	Chenoweth-Hage	Everett
Bartlett	Coburn	Ewing
Barton	Collins	Fletcher
Berry	Combest	Fossella
Bilirakis	Cook	Fowler
Bliley	Cox	Gallegly
Blunt	Crane	Ganske
Boehner	Cubin	Gekas
Bonilla	Cunningham	Gibbons
Brady (TX)	Danner	Gillmor
Bryant	DeLay	Goode
Burton	DeMint	Goodlatte

Goodling	McCollum	Sandlin	Payne	Saxton	Tierney
Goss	McHugh	Sanford	Pease	Scarborough	Towns
Graham	McInnis	Schaffer	Pelosi	Schakowsky	Trafigant
Granger	McKeon	Sensenbrenner	Peterson (MN)	Scott	Turner
Green (TX)	Metcalfe	Sessions	Phelps	Serrano	Udall (CO)
Green (WI)	Mica	Shadegg	Pickett	Shaw	Udall (NM)
Gutknecht	Miller (FL)	Sherwood	Porter	Shays	Upton
Hall (TX)	Miller, Gary	Shinkus	Portman	Sherman	Velazquez
Hansen	Moran (KS)	Shows	Price (NC)	Shuster	Vento
Hastings (WA)	Murtha	Simpson	Quinn	Skelton	Visclosky
Hayes	Myrick	Sisisky	Rahall	Slaughter	Vitter
Hayworth	Nethercutt	Skeen	Ramstad	Smith (NJ)	Walsh
Hefley	Ney	Smith (MI)	Rangel	Smith (WA)	Waters
Herger	Northup	Smith (TX)	Reyes	Snyder	Watt (NC)
Hill (MT)	Norwood	Spence	Rivers	Souder	Waxman
Hilleary	Nussle	Stearns	Rodriguez	Spratt	Weiner
Hobson	Ose	Stenholm	Roemer	Stabenow	Weldon (PA)
Hoeckstra	Oxley	Stump	Ros-Lehtinen	Stark	Weller
Holden	Packard	Sununu	Rothman	Strickland	Wexler
Hostettler	Paul	Sweeney	Roukema	Stupak	Weygand
Hulshof	Peterson (PA)	Talent	Roybal-Allard	Tanner	Whitfield
Hunter	Petri	Tancred	Petri	Tauscher	Wolf
Hutchinson	Pickering	Taylor (MS)	Sabo	Tauzin	Woolsey
Hyde	Pitts	Taylor (NC)	Sanchez	Thompson (CA)	Wu
Jenkins	Pombo	Terry	Sanders	Thompson (MS)	Wynn
Johnson, Sam	Pomeroy	Thomas	Sawyer	Thurman	Young (AK)
Jones (NC)	Pryce (OH)	Thornberry			
Kasich	Radanovich	Thune			
Kingston	Regula	Tiahrt			
Knollenberg	Reynolds	Toomey			
Kolbe	Riley	Walden			
Largent	Rogan	Wamp			
Latham	Rogers	Watkins			
Lewis (CA)	Rohrabacher	Watts (OK)			
Lewis (KY)	Royce	Weldon (FL)			
Linder	Ryan (WI)	Wicker			
Lucas (KY)	Ryun (KS)	Wilson			
Manzullo	Salmon	Young (FL)			

NOES—253

Abercrombie	Dicks	Klecza
Ackerman	Dingell	Klink
Allen	Dixon	Kucinich
Andrews	Doggett	Kuykendall
Bachus	Dooley	LaFalce
Baird	Doyle	LaHood
Baker	Ehlers	Lampson
Baldwin	Ehrlich	Lantos
Barcia	Engel	Larson
Barrett (WI)	English	LaTourette
Bass	Eshoo	Lazio
Becerra	Etheridge	Leach
Bentsen	Evans	Lee
Bereuter	Farr	Levin
Berkley	Fattah	Lewis (GA)
Biggert	Filner	Lipinski
Bilbray	Foley	LoBiondo
Bishop	Forbes	Lofgren
Blagojevich	Ford	Lowey
Blumenauer	Frank (MA)	Luther
Boehlert	Frelinghuysen	Maloney (CT)
Bonior	Frost	Maloney (NY)
Bono	Gedensson	Markey
Borski	Gephardt	Mascara
Boswell	Gilchrest	Matsui
Boucher	Gilman	McCarthy (MO)
Boyd	Gonzalez	McCarthy (NY)
Brady (PA)	Gordon	McCrery
Brown (FL)	Greenwood	McDermott
Brown (OH)	Gutierrez	McGovern
Burr	Hastings (FL)	McIntosh
Callahan	Hill (IN)	McIntyre
Capps	Hilliard	McKinney
Capuano	Hinchey	McNulty
Cardin	Hinojosa	Meehan
Carson	Hoefel	Meek (FL)
Castle	Holt	Meeks (NY)
Clay	Hooley	Menendez
Clayton	Horn	Millender-
Clement	Houghton	McDonald
Clyburn	Hoyer	Miller, George
Condit	Inslee	Minge
Conyers	Isakson	Mink
Cooksey	Jackson (IL)	Moakley
Costello	Jackson-Lee	Mollohan
Coyne	(TX)	Moore
Cramer	Jefferson	Moran (VA)
Crowley	John	Morella
Cummings	Johnson (CT)	Nadler
Davis (FL)	Johnson, E. B.	Napolitano
Davis (IL)	Jones (OH)	Neal
Davis (VA)	Kanjorski	Oberstar
Deal	Kaptur	Obey
DeFazio	Kelly	Oliver
DeGette	Kennedy	Ortiz
Delahunt	Kildee	Owens
DeLauro	Kilpatrick	Pallone
Deutsch	Kind (WI)	Pascarell
Diaz-Balart	King (NY)	Pastor

NOT VOTING—10

Bateman	Franks (NJ)	Martinez
Berman	Hall (OH)	Wise
Campbell	Istook	
Coble	Lucas (OK)	

□ 2208

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. PEASE). It is now in order to consider amendment No. 9 printed in House Report 106-612.

AMENDMENT NO. 9 OFFERED BY MR. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. PETERSON of Pennsylvania:

Page 18, after line 15, insert the following:
SEC. . FEDERAL ACQUISITION OF LANDS ONLY WITHIN DESIGNATED BOUNDARIES.

Notwithstanding any other provision of this Act, the amendments made by this Act, or any other provision of law, amounts made available by this Act (including the amendments made by this Act) may not be used for any acquisition by the Federal Government of an interest in lands except lands located within exterior boundaries designated before the date of the enactment of this Act of an area designated by or under Federal law for a particular conservation or recreation use, including lands within such boundaries of a unit of—

- (1) the National Park System;
- (2) the National Wilderness Preservation System;
- (3) the National Wildlife Refuge System;
- (4) the National Forest System;
- (5) the national system of trails established by the National Trails System Act (16 U.S.C. 1241 et seq.);
- (6) federally administered components of the National Wild and Scenic Rivers System; or
- (7) national recreation areas administered by the Secretary of Agriculture.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Pennsylvania (Mr. PETERSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment before us this evening will help us to focus on our land purchases. It is my view, in America, we have not focused on what we are purchasing. It is like we purchase everything that we possibly can purchase; and sometimes it is appropriate, and sometimes it is not. We own one-third, over 700 million acres of America at the Federal level. When we add the States, we are approaching 45 percent land ownership by government. When we add local government, we are approaching 50 percent of America owned by government.

So I think it is important now that we are going on a track where we are going to be purchasing a mandated amount each and every year hereafter that will be mandated through this legislation. This legislation will focus to purchase within the boundaries and including the National Park System, the National Wilderness Preservation System, the National Wildlife Refuge System, the National Forest System, the National System of Trails established by the National Trail System Act, federally administered components of the National Wild and Scenic River System, and the national recreation areas administered by the Secretary of Agriculture. It will keep us busy for many years finishing the projects we have started.

I think it is important that we focus. Just a few weeks ago, at a hearing in the Subcommittee on Interior, it was obvious that the Fish and Wildlife Service is focused. They are starting five new refuges each year without legislative authority, without any approval by anybody. One was with two-thirds of an acre.

In the last 6 years, they have started 30 new refuges without legislative approval. Those refuges must be maintained by the taxpayers of this country. We do not get even adequate reporting on how much it costs to maintain them and to complete them.

So I think it is important in this legislation that we focus on our priorities and that we finish the projects we have started.

Should we pay our current taxes before we buy more land? We had that argument earlier, and we lost it. I do not think any of us would advise our children if they could not pay their taxes to buy more land. But this Congress has never paid its taxes, which is PILT, as legislated by law to the county and townships and the boroughs across this land that lost their tax base. It is not urban America. It is not suburban America. It is rural America that continues to lose its tax base.

We buy more land, and we do not pay our taxes or PILT. It is our tax payment. We should pay PILT first. We should focus on our inholdings. We should have some sense as to why we are buying what we are buying. We should put our resources to complete the projects we started.

□ 2215

That is the reason I have offered this amendment, and I ask for your support.

Mr. Chairman, I reserve the balance of my time.

Mr. TAUZIN. Mr. Chairman, I ask unanimous consent to divide my time with the gentleman from California (Mr. GEORGE MILLER).

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. GEORGE MILLER) each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the business of the amendment limits Federal acquisitions to in-holdings, unless the property is within the boundaries of an existing Federal property an in-holding, there can be no new acquisitions. In doing so, of course, it says, in effect, that if a willing seller wishes to sell property that is partially in, partially outside the boundaries of an existing Federal facility or if he wants to sell property that is adjacent to, if the government is interested in launching a particular reserve or wilderness area and there is willing sellers willing to sell that property, this amendment would prohibit that sort of a purchase.

In a sense, it inhibits the property rights of the landowners who want to sell, who want to sell their property for the expansion of a park.

The gentleman from Pennsylvania (Mr. PETERSON) makes much of the fact that under current law, agencies are creating new parks in wilderness areas by acquiring an acre, or some acreage, without ever coming to Congress, without every notifying Congress.

The beautiful thing about CARA is that that can no longer happen. Under CARA, every land acquisition has to be reported to Congress, whether it is from a willing seller or not, and Congress makes a determination by specific grant of authority through the appropriations process to acquire a piece of land.

The argument that the gentleman makes that current law is failing counties and States of America is correct, CARA fixes that by requiring, in effect, that any new acquisitions be approved by Congress, not just approved by Congress in some report language, approved by Congress in specific line item appropriation by the committees of Congress. Not only does CARA provide for that, but it provides that the government must notify all the local officials, including the Congressman, that a land acquisition is proposed, so that there is full notice, the government has to go through the full process of saying it really would like to have this property.

Congress has to come in and say that it wants to acquire it and it has to appropriate a specific line item to do it. To limit the acquisition to in-holdings severely restricts the ability of this program to, in fact, work to build a refuge, a wilderness area or reserve where there are willing landowners prepared, and, in fact, anxious to sell their property to do so.

I hope Members look at it that way. It is a limitation on the property rights of the landowner who wants to sell, who happens not to be completely an in-holding property within the Federal Reserve. This amendment ought to be defeated, and I hope it will be.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I rise in strong opposition to this legislation, let me tell the Members why. I hope the Members will follow this along, this is really strong anti-property rights legislation.

If we look at the bill, it prohibits the government from buying land that people may want to sell to the government, so you are a landowner next to a national forest, there is a lot of rural America that is in that, and I happen to represent one of those districts. And I actually have many people, more people want to sell their land because it is rural. They do not want to see it developed, they protected it as families, and their number 1 interest is selling that land to the National Forest Service; they are not an in-holding, but they are next to the line.

Under this legislation, they cannot be a seller. They are prohibited from selling, and why that affects property values is there may not be another buyer around. So we are curtailing the free market, a lot of people have been arguing in legislation like this that it ought to always be one where there is only willing sellers. Well, here is the case where the willing sellers are there, the line is longer than the money we have appropriated, and we are denying them under this legislation, even when the money is there.

Secondly, look what it is, it is not against cities that want to do this or Washington, D.C. that would like to expand in the urban area, this strictly limits recreational areas, the places where people in America like to go, the place that makes this country grand, this country magnificent, this country bold. It is our national resources that make people want to take pictures of and postcards of. This limits national parks, national wilderness preservation system, national wildlife refuge system, the national forest system, the national trail system, the national wild and scenic river system and the national recreation areas. That means if you are a private landowner around any of these areas, under existing law, you would be allowed to sell your land if you wanted to at a price agreed to by you, you could not do it.

This is anti-property rights. I urge a strong no.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I find it interesting, to listen to the last speaker, you would think that every person that owns a land next to Federal land who wants to sell it, the Federal Government should buy it. When the Federal Government owns a third of America, I believe we ought to focus on completing the parks, completing the areas that we have already started, completing our State parks, national parks instead of having in-holdings that are valueless to people in them. We ought to be focusing there.

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I support the amendment, but I am really curious as to how the authors of the bill do not quite seem to understand their own bill yet, because they keep saying if this bill passes, we will not be able to purchase more land. Well, the distinguished chairman of the Interior Committee on Appropriations is here, and he will tell us the committee can continue buying land as it is. It is just that \$2.8 billion becomes a land entitlement, which I know is the goal of the Democratic party to create a new entitlement. The Republicans seem to be going in agreement with that. Some of them are. The reality is you can still, on top of this, buy land.

If Members do not believe me, go back to 2 hours ago, where you accepted the amendment of the gentleman from Indiana (Mr. SOUDER) and the gentleman's amendment says that the CARA funding will simply supplement annual appropriations for activities of the National Park Service.

Now, that is making it clear. It is just a supplement, a \$2.8 billion supplement. It is one that unfortunately a lot of our Members seem to want to put in front of Medicare and Social Security, I am very upset about that, as I know seniors are, that some people are still concerned about putting land acquisition in front of Medicare and Social Security, which seems to be one of the purposes of CARA.

One of the other points that was mentioned earlier tonight is that this fixes something that is broken. Let us. The Federal Government owns 32 percent of the land in the United States of America, not counting military posts, but it is broken. The purchasing mechanism is broken? I do not follow that. It does not make sense to me. I would say it is working real well.

Then this concept of any willing buyer, as the gentleman from Pennsylvania (Mr. PETERSON) said, what is this, a garage sale? Somebody has got some land and the Federal Government is obligated to buy it?

What about the vision and the question that still remains unanswered by the proponents of CARA; how much land in the United States of America should the Federal Government own? 25 percent, 30 percent, 50 percent. I would love to hear that answer from the CARA people so we can put a cap on this.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me read the amendment, it says, in effect, that notwithstanding any other provision of the act, amounts made available by this act may not be used for any acquisition of the Federal Government of an interest in lands, except lands located within exterior boundaries already designated.

It says you cannot spend the money to buy anything but an in-holding. Now, I did not argue that the government ought to have to buy every land from every willing seller who lives adjacent to a wilderness area. I simply argued if the government wants to buy it and if the Congress actually considers an appropriation and passes an appropriation under CARA to buy that property and it is not an in-holding, but it is adjacent and a willing land owner willing to sell it, that we ought not prohibit that transaction.

This amendment prohibits that transaction by simply saying that none of the funds are in CARA. Of course, Congress, if it wishes to, can change CARA, it can also amend CARA next year. It can pass a special bill changing this provision that says you can now buy in-holdings, or this particular in-holding if it wants to, but this language going into CARA says as a principle of the expenditure of these funds, that only in-holders need apply when it comes time to selling land to the government anywhere near a Federal Government reserve wildlife system or national forest service.

Mr. KINGSTON. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, the point of the Peterson amendment is that it limits CARA funds, but it does not limit the ability of the Committee on Appropriations or the authorizing committee.

Mr. TAUZIN. Mr. Chairman, reclaiming my time, it is exactly what I just said, that it certainly does not limit future Congresses to change CARA. It does not limit future Congresses to make a special appropriation for an in-holding if it wants.

It sets down as a principle of law in CARA, that CARA funds cannot be used where there is a willing seller and the government is interested in purchasing the property and the Congress follows all of the steps outlined in CARA for its acquisition.

Mr. GEORGE MILLER of California. Mr. Chairman, I reserve the balance of my time.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gen-

tleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I strongly support the gentleman's amendment. If we are going to have this \$2.8 billion annually, it seems to me that the focus ought to be on the in-holdings. Obviously, there are other funds available as was brought out in the earlier statements by the Members, but the Federal Government can still purchase land if it feels it needs to, but in-holdings are a big problem throughout our Nation with the national parks, and the wilderness areas and so forth. This bill, if it is going to provide this kind of funding, it would be well used to start there.

I represent a mountainous and rural district in parts, and I can tell the Members that it would be helpful to focus on the in-holdings.

I think the gentleman from Pennsylvania (Mr. PETERSON) has made a very valid point. I think his point about getting full funding for PILT is key. We debated that issue and lost on it. We hope somehow we can get that addressed in the future, but the Peterson amendment is a good place to start. And I urge an aye vote.

Mr. PETERSON of Pennsylvania. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. PETERSON) has 3½ minutes remaining, the gentleman from California (Mr. GEORGE MILLER) has 2½ minutes remaining; the gentleman from Louisiana (Mr. TAUZIN) has no time remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I reserve the balance of my time to close.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. PETERSON) for yielding me the time.

Mr. Chairman, we just had a vote on an amendment that I offered which would have protected the property rights of those in-holders that we are talking about in this particular amendment, unfortunately that amendment was defeated. My friends voted against it. They said that the Federal Government could come in and control the land that they did not own; that they could tell private property owners what they could do or could not do with their private property, and the will of the House was that that would proceed; that we would do that to those private property owners.

Now, having voted that way, having made that decision and told those property owners that we were going to control their property, even though we did not know own it, the least we can do at that point is to approve this amendment, because this amendment now says that that is our priority, we have to go in and buy out those in-holders. We have to go in and pay those people for their land, because see we do not

want to protect their property rights, we voted against that, we said we want to control them.

Now, the least we can do is pay them for the land that we are taking from them. That is the only consistent vote that we can cast now in terms of protecting those private property owners, unless, of course, we just want to say we do not care. We want to take your property; we do not want to pay you for it. We want to expand all over the country and create more in-holders and never pay for the land that we are taking through adverse condemnation.

It is a very simple amendment. It is very straightforward. The decision was made on the previous amendment. Now, I believe we have no choice but to support this amendment.

The CHAIRMAN pro tempore. The gentleman from California (Mr. GEORGE MILLER) has the right to close with his time.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we conclude this discussion on this legislation, it is one thing that is obvious to me; there is no plan, there is no focus, and that enough land is not enough land for the government to own. But the Federal Government owning a third, when we combine State and local, we are close to half.

□ 2230

The strength of America has been private property ownership. We certainly have enough Government ownership.

The example I gave of the Fish and Wildlife Service will continue. They have their own pot of money. Congress somewhere along the way erred and gave them the ability to buy land without Congressional approval. And they are going to continue to do that, five refuges a year, growing them into thousands-of-acre refuges. This we to maintain.

We are building a backlog. We already have a backlog on Federal land owned from 30 to 50 billion dollars. And we just wink at that and we take every nickel and dime we have to buy more land, as if we do not have enough public land.

Now, we may not always have the right land, because we do not want to trade. We do not want to have no net gain. This body has resisted anything that would bring common sense to this legislation.

I urge my colleagues to think seriously that, as we obligate the taxpayers of the future, we ought to focus on what land is appropriate, and inholdings seem they ought to be first, and when we complete our inholdings we can change it and do something else, but we ought to complete what we start, we ought to inventory what we own, how much it is going to cost to maintain it, and we ought to pay for it and we ought to pay our taxes before we buy another acre of land that is PILT.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, this kind of simple prohibition simply is unworkable and takes the thought processes out of setting priorities and making determinations about different values, about different emergencies, about different situations.

The fact of the matter is very often we buy some private property to relieve pressure on other private property owners. We know that a number of endangered species problems have been solved because the Federal Government was able to aggregate some areas for protection that then freed up other landowners so that they could put their lands to the productive use or the changes or whatever that they wanted to participate in. So now we would say, no, they cannot do that.

We know very often that we buy property sometimes because it threatens the values and the purposes of the national preserve, whether it is a park or whether it is the forest. We buy some lands so that we can then swap those lands for some other lands that private property or a city or a county wants to put to use. They want us to buy certain lands and swap different lands with them.

Those are all determinations made by elected officials at local levels and in the Congress and in the Senate and city council members. They use their judgment.

Yes, there is a backlog. But let us not pretend like this Congress has been working it off recently, because the Congress has not funded that. But we should not take away those kinds of determinations.

Under this thinking, what they would say is that they could not build three fighter planes at the same time or they could not build a new class of submarine until they finished the old one.

No, we have different situations that emerge in the running of this Government; and the fact of the matter is that we make determinations and we use our best judgments. And so, now they want to say that they can only use this money for inholdings. But, in fact, if an emergency comes up or they have to protect a Federal asset, then they have to go through a lot of rigmarole.

The fact is that this system has worked very, very well. Because we have purchased inholdings. We have purchased lands contiguous to these lands where we think they have a particular value or in some cases where landowners want out because they want to do something to the land, they want to go into some other business and the Federal Reserve is inconsistent with that.

These people use it. They do not run around willy-nilly. Most of these purchases from the Land and Water Conservation Fund are made because Mem-

bers of Congress go to the Committee on Appropriations and ask that they be made.

Every year we trudge down there, we send letters, we get all the people in our delegation to sign them. And they come from both sides of the aisle, and they come from most of the Members who have spoken here tonight asking for the Federal Government to buy these lands. And they want to posture and put a straitjacket on these Federal agencies so they cannot provide the kind of stewardship that the Nation's lands deserve.

I ask for a no vote.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 106-612.

AMENDMENT NO. 10 OFFERED BY MR. CHAMBLISS

Mr. CHAMBLISS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CHAMBLISS:

Page 19, line 3, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 30, line 12, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 48, line 8, strike "without further appropriation, in each fiscal year" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 56, line 6, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 63, line 5, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 64, line 17, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2005 and without further appropriation for fiscal year 2005 and each fiscal year thereafter".

Page 70, line 10, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year

2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

Page 71, line 20, strike "without further appropriation" and insert "subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter".

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Georgia (Mr. CHAMBLISS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a bill that addresses the concerns of a number of my colleagues, along with myself, have with respect to a budget issue with this bill.

CARA sets up mandatory funding mechanisms whereby \$3 billion in mandatory spending is annually taken from the Outer Continental Shelf revenues to the various programs and it goes to the various programs under the bill.

This means that if the requirements are met under each title of the bill that that money automatically goes to the State, the grantees, or whoever the recipients may be in the form of mandatory spending. The appropriators would play no role in controlling how a vast amount of the money is spent unless this amendment is adopted.

Now, the problem with the bill is that it requires this \$3 billion in mandatory spending and 4 weeks ago we adopted a budget that simply makes no provision for this \$3 billion.

Now, if this bill becomes law as currently structured, the amount of debt paid down or available for tax relief as assumed by the budget resolution will be reduced by this \$3 billion every year, or roughly \$15 billion over 5 years. Such a bill is at odds with the budget resolution that was adopted 4 weeks ago.

Now, my friends, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Louisiana (Mr. TAUZIN), who are my dear friends and my hunting buddies, they have done a great job of putting this bill together and bringing in an awful lot of folks in support of this bill. I think the bill is a good bill and I think, with some addressing of concerns, we are going to make it a better bill.

As they know, my amendment does not gut the bill. My amendment simply ensures that we are consistent with our budget resolution. This amendment makes sure that the integrity of the budget process is protected, because the ink is not even dry on the budget resolution and already we are trying to unravel some of the key commitments and assumptions that are laid out in the budget resolution.

It is not like we are not going to be able to fund the provisions of this bill if my amendment is adopted, because all we are saying is that the appropriators will have to deal with the funding

in this bill because there is no provision for it in the budget. It would go through the normal appropriation process.

In our budget that we did adopt, over the next 5 years, we have approximately \$1 billion in Function 300, which is the resources provision, that is available for funding programs that are included within CARA.

Then starting in the year 2006, the bill moves forward just as laid out in the base text today; and that will, thus, give us time to make plans for the spending of this money.

Now, I appreciate the fact that my friend the gentleman from Alaska (Chairman YOUNG) took the off-budget language out of the bill in his managers amendment. Now, that somewhat helped improve the situation, but it did not resolve the budget issue. Because when we take it off budget, then that means that it is subject to the budget law, which means that we are subject to pay-go rules, we are subject to sequestration rules, and that we have got to have either offsets or we are going to run into those sequestration rules.

Now, as I have said, the bill addresses that problem by simply shifting the year in which the mandatory spending begins from fiscal year 2002 to year 2006. After that, then we can fit it within the budget resolution, hopefully. At least we will be able to plan for that.

If my colleagues are conservation minded and want to support the bill without gutting it, this is a good amendment. If they are a fiscal conservative and care about maintaining the integrity of the budget process, this is a good amendment.

I urge the adoption of the amendment.

Mr. TAUZIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. GEORGE MILLER) for the purpose of controlling the time.

The CHAIRMAN pro tempore. Without objection, each of the gentlemen will control 5 minutes.

There was no objection.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, CARA is financed from the receipts of the Outer Continental Shelf oil and gas production. It is not coming out of general revenues. Since the inception of that OSC program, Congress always intended that a portion of these receipts would be reinvested in conservation purposes through programs like the Land and Water Conservation Fund.

Now, I do not know if my colleagues are aware of it, but there are nearly \$13 billion now in the Land and Water Conservation Fund and over \$2 billion in the Historic Preservation Fund in unappropriated balances that already have been authorized by Congress.

Congress has fully intended to do this. We just have not been doing it.

And the source of the funding has always been intended for this purpose. It has just never been spent. Well, not all of that after all.

We are talking about a total program that costs about 2 cents out of every \$100 of the Federal budget. And Congress has been, in fact, spending a good portion of it in. In fiscal year 2001, for example, there is a \$1.4 billion request in the administration's budget. That is half of this program right there.

In other words, we are talking about one penny out of every \$100 of Federal spending, a minimal effect on the budget, but a maximum effect on the purposes of this act if this amendment is adopted.

Now, the gentleman from Louisiana (Mr. JOHN) and I come from a State that is losing 25 square miles a year. That is 125 square miles in the next 5 years that we are going to have to endure that is in our district gone every year while we wait for somebody to recognize that the OSC obligation is real and ought to be funded and ought to be provided for.

Now, in the next 5 years, interior States are going to receive the 50 percent allocation from interior production on lands located in their States. I do not see them suspending that because of the Budget Act. I do not see them telling us do not make those mandatory spending allocations to interior States, States that have been collecting billions and billions of dollars for Federal Reserve production on Federal land in interior States.

But they would tell the coastal States they have to wait another 5 years before they get any help, they have got to wait another 5 years before the lands located right adjacent to their State that produce all this revenue for the Federal Treasury, not in general funds but in OCS funds, are not used for the purpose Congress said they intended them to be used when the program was started.

No, this amendment is just basically unfair. It says, let us not fund this extra penny out of the \$100 that we spend on the Federal accounts to do what Congress said we ought to do a long time ago and to begin remedying the wrong on these coastal States that have endured and sacrificed in order to produce those billions and billions, \$127 billion, to their budget efforts.

This amendment ought to be defeated.

The CHAIRMAN pro tempore. Without objection, the gentleman from New Mexico (Mr. UDALL) will control the time allocated to the gentleman from California (Mr. GEORGE MILLER).

There was no objection.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there is a pretty incredible story here tonight. I think of how the Congress has acted in the best interest of the American people. I want to congratulate the gentleman from Alaska (Chairman YOUNG) and the gen-

tleman from California (Mr. GEORGE MILLER), the ranking member, on how they pulled together what were two very different, divergent bills. It took the leadership of both of these gentlemen, working long and hard over 30 hours with Members and testing I think all of our patience. These were very tough-minded sessions, no doubt. We listened to each other, and I think we really acted in the best interests of the American people.

But what this amendment does here this evening is delay funding until fiscal year 2009. And so, what we are talking about, as the gentleman from Louisiana (Mr. TAUZIN) has said, is \$13 billion, \$13 billion that was spent from the fund and other places and who knows where. But this one amendment would make us wait once again.

The programs that need to be funded now are important programs. They are programs that need adequate funding in this fiscal year. Park plans, farmland, open space are under tremendous development pressure now. Coastlines and marine resources are highly stressed now. Wildlife need habitat now. Inner city kids need recreation areas now.

□ 2245

Why would we want to wait until the 109th Congress to fund these programs?

I think it is about time that we move on with the legacy that Teddy Roosevelt talked about when he talked about conservation and when he set such a great example. He said at the time, and I quote, of all of the great questions which can come before this Nation short of the actual preservation of its existence in a great war, there is none which compares in importance with the central task of leaving this land even a better land for our descendants than it is for us. That is what I think those of us that are supporting CARA are trying to do under the leadership of the gentleman from Alaska and the gentleman from California. This amendment would gut that effort, it would delay the funding, it would set us back in terms of urgent needs.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAMBLISS. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I flatly disagree with those who say we do not need substantially more land acquisition. We are going to have 35 million more people knocking on the doors of national parks in 10 years and we need to buy a lot more land in order to preserve it for posterity. But I also support this amendment.

I am uncomfortable being here. I do not like to oppose my friends, and I do not like to be standing in the way of this legislation. But I think there are some substantial problems with it. The Federal Government has the responsibility to take care of our national

parks and our national forests and our national wildlife refuges in dealing with national environmental priorities. This bill takes almost \$3 billion of national resources and locks them into a handful of projects, many of them focused on dealing with State parks, State forests and State priorities.

Every year for the next 15 years that money is steered to acquisition of land, to specific wildlife programs, to coastal environmental projects. Those programs are good, and I strongly support them, but they are not the only priorities we have as a Nation and they are not even the only priorities we have on the environmental front. They are important to me, but they are not any more important than is education or health care or some others.

I do not understand why we are taking Federal money and using it to fund State priorities when many of our States have been running budget surpluses. I did not come here to be my governor's tax collector. I came here to deal with responsibilities that could not be dealt with at any other level of government. I simply do not believe in insulating even my favorite programs from congressional oversight for 5 years. I believe in a much larger land acquisition program. But I do not put land acquisition ahead of other priorities like education and health care.

I want to make it very clear, I will work to the fullest extent of my ability to make land acquisition a much higher priority of this Congress. But I will not support the idea of making it an exclusive priority. That is not fair to other environmental problems, it is not fair to our other national obligations. We sit here and see, for instance, that half of our national wildlife refuges have no staff. I do not think that we should make it more difficult to correct that problem by something we do tonight on this bill.

I congratulate the gentleman for his amendment. I think it is a responsible middle ground. I intend to support it when we vote on it tomorrow.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment. I also rise as an appropriator. I hate to dispute my own chairman on this and my ranking member, but I think we forget where this money comes from. It also comes from sale of public resources. The oil and the mineral rights under the land owned by the public is sold and the revenues therefrom have been promised to the people of the United States for the history of this legislation. Only we in Congress have never fulfilled that promise. We have collected the money, we have promised it would be spent for these purposes and we have withheld it to use for other things. The same kind of argument we hear with the Social Security and other things.

Now, this is not the only program where we have devised a formula to

give moneys to States and local governments. We also do that with community development block grants. That is Federal money. We give it out there without a lot of strings attached. Look at what we do in transportation. The national Federal sales tax on gas sales at the pump, we collect that money, and we block-grant it back to States and cities and counties.

It seems to me, if we adopt this legislation, what we are denying is a promise made to the people of the United States that the funds that we collected would be used for preservation of farmlands, would be used for improvement of camping facilities, would be used to help inner cities buy parks, would be used for habitat protection, would be used to enhance that growing America that is demanding recreational resources. This amendment continues to deny the promise made. That promise is that these moneys would be returned to the people in a way that they could enjoy the natural resources. It is a bad amendment. As an appropriator, I would argue against it.

Mr. CHAMBLISS. Mr. Chairman, I yield myself such time as I may consume.

What my friend apparently does not understand about this amendment is that we are not saying we do not carry out every single provision in this bill, all we are saying is that we need to be consistent with the budget resolution and be fiscally responsible and take the time to allow the administration and Congress to work on a plan to find the funding for it.

Now, this funding, the source of this funding that was intended in 1953 when these revenues were first found and generated were to go into the general treasury. They have been in the general treasury from 1953 into the 1970s, I think is when they were taken out and dedicated for other purposes. But in any event, it gets back to the point of we have got \$3 billion in mandatory spending.

I spoke in favor of the bill earlier today, because I think the bill is a good bill. But the funding aspect of it needs to be better planned for than what we have done within the framework that we are operating under tonight. All I am saying is that we need to take the time and be judicious and find the \$3 billion to fund it rather than being inconsistent with the balanced budget resolution that we passed 4 weeks ago.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). Without objection, the gentleman from Alaska (Mr. YOUNG) will control the time remaining of the gentleman from Louisiana (Mr. TAUZIN).

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

In respect to my good friend, the gentleman from Georgia (Mr. Chambliss), I have to keep reminding everybody that this is on-budget. We did do that. This

is money that we have collected for this program that has not been spent. I frankly, as one of my biggest loves, is for fish and wildlife do not want to have them wait for 6 years. I think that is a terrible, terrible blow to this bill.

If you believe in conservation, if you believe in the establishment and protecting endangered species that are endangered or will be endangered if we do not act these next 6 years, there will be a lot of areas shut down. I honestly will tell you, I think this 6 years would be a terrible detriment. I did request from the leadership prior to this bill before the budget was acted on to have this included. That was denied. They said, "Don't worry about it. We'll make sure if the bill passes that the money will be there some way."

If we pass this bill, which I hope we will, we will find that money. This bill will go to the Senate. The President has a plan of his own. We have a plan of ours. Eventually we will reach a solution. But to have us wait 6 years, in fact, will defeat the purpose of the whole bill. Animals will not be around. The parks that these kids need will not be there. The crime rate will rise. Lands that were destroyed by the government on Indian reservations will not be reclaimed. Farmers that want to remain farming will not be able to farm because they will not have the easement provisions. Coastal States that are losing acres of land every minute will not have any recourse. Six years from now, probably most of us will not be here, in all due respect. I will be because I am going to be chairman of another committee. But I am just suggesting that to wait 6 years is a bad precedent to be set. I urge the gentleman to consider that. Keep in mind this process is begun. Let us finish it.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of this amendment. The base text of this legislation would create new mandatory spending for: impact assistance to coastal states; Conservation and Reinvestment Fund activities; wildlife conservation and restoration activities; Urban Park and Recreation Recovery Program activities; Historic Preservation Fund activities; Federal and Indian lands restoration activities, Farmland Protection Program activities; and endangered and threatened species recovery activities. The currently authorized version of these programs are funded through annual discretionary appropriations.

Without getting into the merits of the authorizations, the funding mechanisms included in this proposed legislation would represent a huge increase in backdoor spending if it were adopted by this House. The amendment before us would return the funding for these authorizations to discretionary appropriations for fiscal years 2002 through 2005. This is the right way to approach funding these activities, and this amendment should be adopted.

Establishing mandatory spending for these activities is exactly contrary to what this House has been attempting to do in getting control of the runaway spending of the past and establishing controls and priority setting mechanisms for all spending. Mandatory spending

should only be used for programs whose needs are paramount and nearly absolute. Even though many activities are funded by trust funds or other direct revenue sources, this is not justification to pass through these funds to program beneficiaries year after year without annual review.

For those of you that think that the programs in this proposed legislation deserve funding compared to other discretionary programs, there is a way to make that happen. It's called the appropriations process. It's the best priority setting mechanism in the government. It reflects better than anything else the annual spending priorities of Congress. For those of you that say the overall discretionary levels are too low to accommodate funding these programs, there is a way to address that. It is called the congressional budget resolution. If you think the overall level discretionary level is too low, you can make your feelings known in the budget resolution process.

For those of you that think the discretionary levels are about right but you want these activities funded anyway, you can put pressure on the appropriations process to do so. But, it would be extremely inconsistent with the established budget process to create this type of new mandatory spending while supporting tight discretionary spending.

This mantra of "unlock the trust funds" has got to be recognized for the bad budget process that it is creating. One of the reasons that we have trust funds is so that we can review the spending needs placed on them, not so that there is just an automatic pass through mechanism. They are trust funds, not revolving funds. The people that pay the money into them need to be reassured that the Congress is continuously reviewing spending priorities. It is the rightful purview of Congress to decide to reduce or increase trust fund spending as it sees fit based on priorities, not based on the fact that the revenue source is a trust fund.

Without the fixes proposed by this amendment, this is bad legislation. Members shouldn't think that this is a free vote to support your particular program interest and ignore the financing mechanism. Don't think that the budget problems will get sorted out later. There is a very bad track record being developed in that regard. Don't think that the Senate or the President will do the right thing later even though we won't now.

Mr. Chairman, the fiscal year 2001 appropriations process is getting into full swing. We have a lean overall allocation. We will be bringing lean bills to the floor. We will have high priority needs that those bills won't be able to fund. It just seems to me that if we defeat this amendment and allow new mandatory spending at the same time we are trying to establish priorities on a discretionary allocation, things are out of whack. That would be an insult to the process. We need to adopt this amendment and get back to a rational priority setting system.

Vote "yes."

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. CHAMBLISS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS) will be postponed.

It is now in order to consider amendment No. 11 printed in House Report 106-612.

AMENDMENT NO. 11 OFFERED BY MRS. CHENOWETH-HAGE

Mrs. CHENOWETH-HAGE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mrs. CHENOWETH-HAGE:

Page 23, in line 18, strike "except that a coastal political" and all that follows down through line 3 on page 24.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) and the gentleman from California (Mr. GEORGE MILLER) each will control 5 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I yield myself such time as I may consume.

This amendment strikes a provision in title I of the bill which treats one county in California not eligible to receive impact assistance as if it were eligible to receive funds. The actual effect of this amendment is somewhat complex and obscure, but its premise is basic. No county or other governmental entity should receive a special carved-out privilege when it is not eligible to receive funds in the first place. So to do so would establish an unprecedented mandatory line item for one county in one Congressman's district and quite frankly, this is irresponsible legislating.

Mr. Chairman, the county in question is Contra Costa, California, and is more than 200 miles from a leased tract for oil drilling, making it ineligible otherwise for funds under title I. However, H.R. 701, as strange as it is, provides a special exemption to one California political subdivision which has one or more oil refineries, treating it as if it were only 50 miles from a leased tract. The provision violates the very intent of title I which is to provide impact assistance for mitigation of offshore oil drilling. In short, there is no real reason for this provision other than to establish a very special porky cash flow specifically for one county in California.

But, Mr. Chairman, this provision also exemplifies the underlying problem with this bill. It establishes a massive fund, taking from revenue which would normally be allocated by Congress and specially designates money to a select few while at the same time empowering government to impose its agenda on others. This is not how we should legislate in this body. This is not how our Founding Fathers in-

tended for us to handle the power the people have given us, the power of the pursestring. I urge the House to adopt this amendment which restores some fiscal sanity to this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

First of all, let me state that Contra Costa County, which I represent is, in fact, qualified as a coastal county. The issue was whether or not they got that portion of funding under the legislation that dealt with the burdens, and the question there was the proximity. As the gentlewoman points out, this is not proximate to the production of the oil, but the fact of the matter is it is the home to six oil refineries which produce all of the various products from offshore oil that is drilled in California, Alaska and elsewhere. This is an area of the country that has been impacted by explosions, by leaks, by toxic leaks, by toxic pollution and so it is a part of the cycle, if you will, of developing energy in this country that goes from exploration to refining to marketing.

□ 2300

Because it happens to be located in one central area that is not on the coast, and the reason it is not on the coast is because it is on the bay in the deep water harbor. Otherwise it would be on the coast like in Los Angeles, Long Beach or elsewhere. It ought to be treated the same, because the citizens are there, and this is what the offshore oil revenues were about, was to deal with mitigation of burdens that communities suffer as a result of that kind of activity. Here are all of the press clippings of all of the explosions, all of the toxics spills, all of the spills in the bay, the ships that have run aground, the barges that are broken open, the pipelines that have broken open, and this is just simply to provide the same kind of resources that a county would get if we had production and it was that proximate.

Mr. Chairman, that is the purpose of it. I think it is clearly justified because so much of the West Coast and the Alaskan oil is, in fact, refined in this one county of California. So I would urge a defeat of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, now we peek behind the curtains of the back room of the great CARA brain trust and we find, behind the platitudes of all of this fairness and this need for consistency which seems to be driving CARA, we find a special interest exemption for one particular county in California. How curious. How curious that we keep hearing the need for CARA is for consistency, to get away from politics, and yet we find one county outside the 200-mile limitation, cut

out a special little special interest, a cherry stem. Let us bring it in.

Well, this is one of the problems with CARA. It is a bill, and it is probably full of other sweetheart deals for counties. Yet, under their own CARA rules, if CARA was such a big deal, such a great bill, such a consistent bill, such a fair bill, why would we need to have a special little cherry stem for a county. It does not make sense. If this county deserves special emergency or Federal funds or assistance, then let it come out in the daylight, not in some little amendment. Let them go through the appropriations process, the authorization process.

Mr. Chairman, I think that that is just typical of what the whole bill is full of, particular little special interest things. We have had the opportunity to peer behind the curtain and see what is really going on.

We keep hearing this bill is so good for the States. Well, California is one of those States with a \$3 billion surplus. Yet, under CARA, we are going to send them Federal tax money, and as the gentleman from Wisconsin (Mr. OBEY) says, we are the national Congress, we are not the State of California Congress. It is our job to look after the national picture, not special interest in California. Let the California legislature, with its \$3 billion surplus, spend money on the needs of this county.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman for yielding.

I want to suggest two things. One is, I know this county; I was raised just about 75 miles above it. It was one of the larger refinery areas that refined oil. They have lost a lot of those refineries. They have 2 major refineries left, and I will be right up front with everybody, they happen to refine Alaskan oil. That gasoline that is produced is really burned in the State of the gentleman that is offering this amendment. If we think gas prices are high now, we should just try driving those refineries out of that area.

It does not increase the amount of money for California. It does allow monies for this area; it is heavily impacted. Like the gentleman mentioned, now that California has different areas along the coast, some of the refineries are right on the coast, this happens to be about 75 miles inland or a little further.

So I want to suggest that the amendment is aimed towards the gentleman from California (Mr. GEORGE MILLER), there is no doubt about that, but the justification I do not think merits the offering of the amendment.

I believe that the area which is identified in this amendment is an area that is highly intensified by refineries and should get some of this impact money.

Now, as far as California having a surplus of \$3 billion, I have heard this over and over and over again, States having surpluses. Are we going to condemn the States that have surpluses because they have managed their money well? The money that comes from this bill comes from the Gulf States or for specific reasons that should be spent. I believe, very frankly, we ought to commend the States that have the surplus. I thought this was a Republican policy, to make sure those that reward themselves and work well should be rewarded, not those that do not. So I am a little bit confused by the offering of this amendment, when it would not, in fact, address the issue of an impacted area.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Idaho (Mrs. CHENOWETH-HAGE) has 30 seconds remaining, and the gentleman from California (Mr. GEORGE MILLER) has the right to close.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I yield myself the remaining time.

I did not mention that this bill had to do with a county in the gentleman from California's district, but the fact is that there are many counties throughout this Nation that are on their knees for one reason or another, but they do not ask for, nor do they receive special treatment, special pork treatment like this county is receiving. It is pure pork, it is the kind of legislating that Americans dislike, and it leaves a great distaste in the hearts and minds of the American people to see this kind of special interest legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

I would say this is not about pure pork, this is not to be hidden. The gentleman should have stood up when she opened her remarks and said that it was aimed at me and then everything would have been on the table, but we have discussed that.

Many people in this county would be happy to be rid of these refineries. We have had hundreds and hundreds of people go to hospitals; we have had millions and millions of dollars in lawsuits. But the fact of the matter is, that is where the refineries are. We could never locate them in any other part of the United States and that is why they are treated as an impacted area. If they were on the coast, they would be treated as an impacted area. They are 30 miles from the coast on San Francisco Bay, so they are not treated as an impacted area, and this is to treat them the same as we would treat refineries in Long Beach or southern California or Louisiana or Alabama or wherever. If my colleagues do not think this is a coastal area, this is where the Naval base is. This is a coastal operation.

If my colleagues want to take a potshot at me, they can take their potshot. But the fact of the matter is this

is about an impacted area from offshore drilling; this is about an impacted area where many, many, many accidents have taken place. That is part of the price we pay for energy development in this country, and I ask for a no vote.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Idaho (Mrs. CHENOWETH-HAGE) will be postponed.

It is now in order to consider Amendment No. 12 printed in House report 106-612.

AMENDMENT NO. 12 OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. HASTINGS of Washington:

Page 31, after line 24, insert:

“(3) APPORTIONMENT FOR MAINTENANCE.—Not less than 50 percent of the Federal portion shall be used by the Secretary of the Interior and the Secretary of Agriculture only for purposes of carrying out maintenance operations on Federal lands managed by such Secretaries.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio (Mr. REGULA) control half of my time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of this amendment that is offered jointly by the gentleman from Ohio (Mr. REGULA) and myself.

As the last several hours in this debate have made clear, fewer issues inspire a more contentious debate in this Chamber than Federal lands policy. There is, however, one aspect of the Federal lands policy on which I believe every Member of this House can agree. We simply must do a better job of maintaining our national parks, our wildlife refugees, recreation areas, and our national forests.

Our constituents know, and so do we. Every one of us have heard about families from our district that have visited these natural resources and found

shabby facilities and deteriorating conditions when they arrive at these places that are, in many cases, the crown jewels of our park and recreation system, this legacy that was entrusted to us by past generations.

Yet, tragically, Mr. Chairman, the unfunded backlog of deferred maintenance work in this country at these facilities has reached the tens of billions of dollars.

□ 2310

As a matter of fact, it is growing every year. Just 2 months ago, on March 21, this House voted 392 to 2 to underscore our concern about this backlog. Unfortunately, that vote was largely symbolic because it was a House Resolution and it committed no actual funds to address this problem.

Tonight by voting for the Hastings-Regula amendment we can back up our rhetoric with real resources. Our amendment would provide a dedicated funding stream to meet the maintenance needs that have been deferred for too long, and it would do so without adding one penny to the bottom line on this bill.

Simply stated, our amendment requires that for every dollar spent from the Federal share of the Land and Water Conservation Fund to purchase land, \$1 must also be spent to maintain the lands that we already own. After all, to me it is just common sense to stop buying more of something unless one is ready to maintain what they already have. The Hastings-Regula amendment makes it possible to do both.

Our dollar-for-dollar approach is a simple, straightforward, and balanced approach to at least one problem that the American people really do think that the Federal government should address. Whether one is from the East, West, rural, or urban areas, the public has consistently ranked maintaining parks and recreation facilities among the top priorities for public funding.

Tonight let us show our constituents that their priorities are our priorities. Mr. Chairman, no Member of Congress has worked harder on this than the gentleman from Ohio (Mr. REGULA). I am honored that he joins me in this endeavor. I am sure his remarks will explain much better than I can the need for this.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Alaska (Mr. YOUNG) is recognized for 10 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as much as I respect my good friend, the gentleman from Washington (Mr. HASTINGS), this bill does what he asks to do.

Last year, the ratio was 3 to 1, \$3 for every \$1, \$3 for every \$1 spent for pur-

chase. If we are not doing this job as we should be, it is the appropriators' fault. If they appropriated the money as they should have from the monies that were derived from offshore, we would not have this problem. But it has not been done. It has not been done.

Under this bill, we put \$200 million additional maintenance into the program for the maintenance. So really, this amendment is not necessary. It is really not necessary, unless one wants the appropriators to do all of the work. If they want the appropriators to make the decision, then support the amendment. If one wants appropriators writing legislation, then support the amendment. If we want the appropriators running this House, then support the amendment.

The appropriators have been making legislative action every end of the session without any through-put through this Congress, without anybody having anything to say about it, without going to the authorizing committee. Those who voted for last year's final bill voted for \$600 million, and the year before that, \$420 million, and the year before that, without any through-put from the authorizing committees.

In this bill, though, we say okay, if they want maintenance, we will give them an additional \$200 million for maintenance. That is not appropriated. It should have been appropriated, but it was not appropriated. Three to one, though, for maintenance. If we have a backlog, it is because the appropriators did not use the money for the maintenance part.

I am going to suggest that although the amendment sounds good, we recognize the maintenance problem in this bill. We recognize the need to take care of our parks and refuges. We added \$200 million. If Members adopt this amendment, they are back where they started from, \$450 million, just about where we were last year. We are letting the appropriators run the program. I do not think that is what this Congress wants.

I do not have any particular fight with the appropriators, other than the fact that they missed the idea that the authorizers also have a role in this body. Does anybody know what the money was spent on last year? No. Did they come to us and ask us? No. It was given to the President.

I say, maintain them, yes. We are going to do that. But let us use this bill, with the additional \$200 million. If we do not defeat this amendment, we are going to end up right back where we were last year with no maintenance, other than about \$450 million. If that is what Members want, then fine. If they want their parks to fall apart, fine, or refuges not to be maintained, fine. I do not think Members want that.

Mr. Chairman, I reserve the balance of my time.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I regret that I do not have a copy of the letter that I received from the chairman of the authorizing committee last year requesting me to put in a number of authorizing provisions in our bill, since he seems to feel that we abused that privilege. But I am pleased that he feels we should address the backlogged maintenance. It seems to me if the gentleman is saying he wants three to one, he certainly should be supporting this amendment, which is only one for one.

All we are saying in this amendment is that as we buy land, for each dollar we spend on land, we should spend \$1 on maintenance. Certainly that makes a lot of sense.

Here is the list: The National Park Service, \$3 billion; toilets that do not work, roads that are not safe, bridges that are not safe, campgrounds that are not safe; Bureau of Land Management, \$100 million; Fish and Wildlife, \$790 million; the Forest Service, \$8.9 billion.

Yet, all of these agencies, and particularly the Forest Service, they have tripled the visitor days of the Park Service, and look how this maintenance has been neglected. We have been working at it, but if we take the money away from the Committee on Appropriations, they are not going to be able to address this. The amount the gentleman provides does not help to solve the problem, because we will have many other demands that will be made on the money available to us.

What I want to read is a poll that was done by Vox Populi Communications. They did a poll on CARA. I want to read just one paragraph: "Even more adamant," and this is speaking of the people who responded, "Even more adamant was the opposition to new land acquisition and park creation in the face of a massive maintenance backlog. Simply put, by more than six to one, voters want the maintenance backlog addressed before more money is spent on acquiring additional lands or creating new parks. This desire to address present needs was consistent across gender and party lines, and even Gore supporters saying that we needed to work on current problems before buying more land."

Yet, this bill would propose us to buy more land. It proposes to give the States money, free money, that they can spend as they choose. We keep hearing a lot about how this will enhance the resources. Maybe it will, maybe it will not. We do not know what the States will do with it once they get it. They are not that restricted under the terms of this bill.

As the gentleman from Wisconsin pointed out so very eloquently, our responsibility is to take care of the 379 parks, the 200 million acres under the Bureau of Land Management, the probably almost 150 million acres in the Forest Service, and all the refuges. We created something like five last year, 30 in the past several years.

We have an enormous backlog of maintenance, but we cannot do it without having money available. The bottom line of this bill is that it is going to take that money away, it is going to send it out to the States, and leave us with the lack of ability to meet these very significant needs.

It seems to me as responsible government at the very minimum, if we are going to buy more land, as the amendment proposed by the gentleman from Washington (Mr. HASTINGS) would provide, for every \$1 we spend on land, let us spend \$1 on maintenance. It makes a lot of sense in view of this \$13 billion deficit. Those are safety issues. Those are the enjoyment.

Go to a park, and as it was in Yellowstone, one of the campgrounds is closed because of lack of maintenance of the sewer system.

□ 2320

That could be repeated many times over. So at least with this amendment, we get a beginning and we make sure that we are balancing off land acquisition with maintenance.

I urge support for this amendment. And in view of the gentleman from Alaska (Mr. YOUNG) endorsing the idea of maintenance so emphatically, I would hope that he would be very supportive of this amendment because he believes in maintenance.

Mr. UDALL of New Mexico. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from New Mexico.

Mr. UDALL of New Mexico. Mr. Chairman, my understanding is that in the last 5 years, while the gentleman from Ohio (Mr. REGULA) has chaired the subcommittee, that the appropriations for maintenance have been \$54 million below the President's request; is that correct?

Mr. REGULA. Mr. Chairman, reclaiming my time, we have been below the President's request for, overall, a billion dollars because he requested but did not provide any money. But I would also point out that if the gentleman will look at the last time the minority party was in control, we have increased maintenance very greatly.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Chairman, I must rise in vigorous opposition to the attempt of the gentleman from Washington (Mr. HASTINGS) to cut one leg off a two-legged bill, because a 50 percent reduction in this acquisition, I think, cuts against three very important principles.

One, I would allude to some basic American values that are inscribed in the bar of the House. And if my colleagues have never come down to take a look at them, they ought to sometime. Starting on the left, those basic American values are peace, liberty, tol-

erance, and justice. And the one we are talking about tonight is union. Because in a very rare display of bipartisanship, we have crafted a union of people across party lines and ideological lines that is embodied in this bill.

Mr. Chairman, this amendment will dismember that union that has been so carefully built and vigorously built under the leadership of the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER), the ranking minority member. We ought to stay with this bill as it is. It is a union and it ought to pass.

The second rule that is being violated by this amendment is one of physics, the rule pavement does not wait. Concrete does not wait. It does not wait for Congress. It will not wait if we cut 50 percent out of the acquisition funds of this land. That land will be gone. Ask what would have happened in the days when Yellowstone was considered by this Chamber if this Chamber missed the opportunity to save Yellowstone National Park from the Coney Islands that would have been built up along the geysers if we decided not to make that acquisition because, in some way, the Committee on Appropriations had not previously appropriated enough for maintenance somewhere. Imagine if we missed that opportunity. Pavement and concrete do not wait.

Third, I just want to say that we talk a lot about the Grand Canyon and Yellowstone Park, but I want to suggest those are the grand jewels of this country. But there are little jewels in every district in this country that need acquisition today. I went to the Grand Canyon last week. I took Friday off. Do not tell anybody. I went down to the Grand Canyon. The first time I have been there.

Mr. Chairman, Teddy Roosevelt was right. He said every American should go to the Grand Canyon before they die. But there is a little place in my district on Bear Creek where the water pools underneath the cedar trees and the salmon used to spawn that if this amendment passes, the salmon will never spawn again because we will not preserve that little tiny piece of the Creator's handiwork, and that little jewel of this country, which will never be a Grand Canyon and may be known only to my neighbors will be gone.

Let us act tonight for union, let us beat the pavement and let us protect all the little jewels that deserve protection in this country.

Mr. HASTINGS of Washington. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Washington (Mr. HASTINGS) has 2 minutes remaining. The time of the gentleman from Ohio (Mr. REGULA) has expired. The gentleman from Alaska (Mr. YOUNG) has 1½ minutes remaining, and the gentleman from New Mexico (Mr. UDALL) has 2 minutes remaining.

Mr. HASTINGS of Washington. The gentleman from Alaska has the right to close?

The CHAIRMAN pro tempore. Yes.

Mr. HASTINGS of Washington. Mr. Chairman, I reserve the balance of my time.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, on March 8, 1964 The New York Times ran the following editorial:

Behind the effort to enact the Wilderness bill and the Land and Water Conservation Fund bill—the two most vital pieces of conservation and recreation legislation before Congress this year—is recognition of a dread alternative: once the primeval lands fall under the bulldozer's blade, they are forever lost. . . . Secretary of the Interior Udall has rightly called these bills "pieces of landmark legislation which will be remembered for years to come."

My father is still right. The Land and Water Conservation Fund Act as well as the Wilderness Act is still remembered. And, I believe it is as important today as it was when he was Secretary of the Interior.

I will let you in on what I think the secret is to the continuing importance of the Land and Water Conservation Fund. My father and others working on this bill were successful because these initiatives were the result of bipartisan input that looked ahead to the generations yet to come. Even the idea for creating a Land and Water Conservation Fund came from a bi-partisan commission. On Lawrence Rockefeller's Outdoor Recreation Resources Review Commission were: four Senators, 2 Democrats and 2 Republicans, four Representatives also split 2 and 2, and 7 presidential appointees including groups as diverse as the Wilderness Society and the American Cattlemen's Association.

This bi-partisan foundation translated its work into sound proposals and Congress then passed the Land and Water Conservation Fund Act with virtually unanimous support.

In the year 2000 we need to pass that secret along. As you well know, H.R. 701 is sponsored by both Chairman YOUNG and Ranking Member MILLER and has broad bipartisan support in the House. This gives us the opportunity to take the secret of the 88th Congress' success and demonstrate that the 106th Congress can also work together to pass landmark legislation.

Because they had joined with each other in a meaningful, bi-partisan dialogue, individuals like my father and his colleagues were able to leave all of us the invaluable gift of protected wildlands and wildlife. It's now our turn as the heirs of their generation to do the same thing for our children.

The Land and Water Conservation Fund has helped all of us in our respective states by protecting invaluable lands and resources. For example, in my district in New Mexico over \$25 million in federal and \$10 million in state funds have been awarded for some of the following projects:

FEDERAL FUNDING

Chaco Culture National Historic Park.
Bandelier National Monument.

STATE/LOCAL FUNDING

Chama—Chama Playground.
Las Vegas—Rodriguez Baseball Park.
Raton—High School Recreation Park.
Zuni—Recreation Park Development.
Gallup—Red Rock Campground.

As you can see from these examples, not only are the provisions of the Land and Water Conservation Fund aimed at helping support federal projects, they also help much needed state and local programs.

That is why I support CARA and invite all of my colleagues—regardless of which side of the aisle they sit—to participate in this legislative effort.

As I conclude, I'm reminded of John Chafee who loved to quote Teddy Roosevelt's observation that "of all the great questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the central task of leaving this land even a better land for our descendants than it is for us."

Thank you for supporting this bill.

Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, we just heard some eloquent remarks about small little jewels being preserved and not being able to wait a few more years for lack of funding because of the advancing concrete. If we could picture in our mind the East Coast of the United States and then picture from Boston to Richmond. It is almost a constant corridor of buildings and highways, a megalopolis. And in the midst of that constant corridor is a tiny little space viewed from space that is still dark.

It is called the Delmarva Peninsula, made up of Maryland, Delaware and Virginia. What we have done is worked with the three States on that tiny little peninsula to retain its rural character by creating a Habitat Conservation Corridor for those three States on the peninsula for wildlife. We are working to produce and preserve and make profitable agriculture. And we are going to restore 10 percent of the original historic number of oysters in the Chesapeake Bay, which will do tremendous things for water quality.

Mr. Chairman, I urge a "no" vote on this amendment for those jewels in this country that still can be preserved.

Mr. UDALL of New Mexico. Mr. Chairman, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to reiterate what I am talking about with this amendment is for maintenance. It is not for acquisition at all. It is for maintenance. We already have the Grand Canyon. We already have Yosemite. We already have Rainier National Park. They are already in place. We are talking about maintaining these facilities.

Now, I commend the gentleman from Alaska for at least putting some maintenance dollars in this bill. But here is the problem. We know we have about \$18 billion of a backlog. We have about \$180 million in this bill. If we were to appropriate that all of the way through

this year, it would take us 100 years just to make up the current backlog. We cannot wait that long. We propose in this CARA bill to spend another, roughly, billion dollars for acquisition. We would add to that, obviously, the maintenance needs in the future.

Mr. Chairman, we cannot wait that long. We have 100 years, for goodness sakes, just to take care of what we have. That does not make any sense at all. We have an opportunity because CARA develops a funding stream for these crown jewels that we are talking about. Some of that ought to go for maintenance. And that is all this amendment says.

Obviously, if this money is put into the process, maybe we can reduce this and then those that support buying more land would have that land in the future. But is the first principle not to maintain what we have? That is what this amendment does, is simply says let us maintain what we have. We cannot wait 100 years just to take care of the backlog that we already have right now.

I urge my colleagues to support this common sense amendment because to me, it addresses the issue that the American people understand obviously better than we do, or it would be in the bill without having to go through this amendment process.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am one who supports the maintenance. I will say this, that if the appropriators had done their job, the maintenance would have occurred and should have occurred.

I am a little bit concerned and I would like to ask those that oppose this bill, where would the maintenance money be for this program if we did not have CARA? Where would it be? It would not happen. There would be no maintenance. It would be the same minimal type maintenance that has existed the last 6 years, and before that in the other administration.

And if we go back and check the units that were created, we will find out a large percent of those units were created without authorization by this Congress, but through the appropriating committee.

□ 2330

Just check the record.

So I ask a lot of my colleagues, where would they be when they offer these amendments. If we did not have CARA, would they have any more maintenance? I say, no, they would have the same old thing. Just keep that in mind.

So I think this amendment is unnecessary. We do recognize the need in this bill. I respectfully reject the amendment. Keep this package together. Let us go forward and accomplish what we set out to do: maintain, take care of our species, take care of

our urban parks, take care of our easements, take care of destroyed land, and, yes, maybe buy some land. But nowhere in this bill says there shall be land bought. Nowhere.

The CHAIRMAN pro tempore (Mr. PEASE). All time has expired.

The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Washington. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Washington (Mr. HASTINGS) will be postponed.

Mr. YOUNG of Alaska. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. PEASE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 853, COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-613) on the resolution (H. Res. 499) providing for consideration of the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONSERVATION AND REINVESTMENT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in